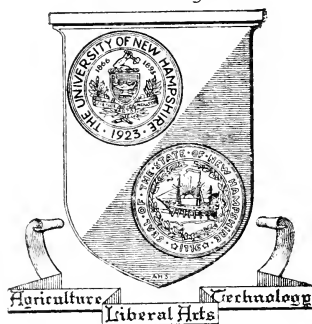


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# L A W S

of the

STATE OF NEW HAMPSHIRE

PASSED SPECIAL SESSION, 1950

LEGISLATURE CONVENED APRIL 25, 1950

ADJOURNED MAY 18, 1950

and

# L A W S

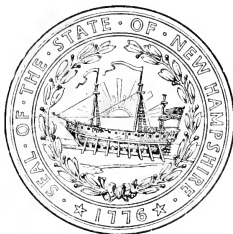
of the

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1951

LEGISLATURE CONVENED JANUARY 3, 1951

ADJOURNED AUGUST 31, 1951



CONCORD, N. H.

1951

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## STATE OFFICERS

<i>Governor</i> .....	Sherman Adams
<i>Councilors</i> .....	<div style="display: flex; align-items: center;"> <div style="flex: 1;"> <div style="font-size: 3em; margin-right: 10px;">{</div> <div style="display: flex; flex-direction: column; gap: 5px;"> George T. Noyes  Renfrew A. Thomson  C. Edward Bourassa  Howard R. Flanders  Charles F. Stafford </div> </div> </div>
<i>Adjutant General</i> .....	Charles F. Bowen
<i>Aeronautics Commission, N. H.</i>	
<i>Director</i> .....	W. Russell Hilliard
<i>Agriculture, Commissioner of</i> .....	Perley I. Fitts
<i>Attorney-General</i> .....	Gordon M. Tiffany
<i>Deputy Attorney-General</i> . . . . .	Maurice M. Blodgett
<i>Assistant Attorneys-General</i> . . .	<div style="display: flex; align-items: center;"> <div style="flex: 1;"> <div style="font-size: 3em; margin-right: 10px;">{</div> <div style="display: flex; flex-direction: column; gap: 5px;"> Warren E. Waters  Henry Dowst, Jr.  John N. Nassikas </div> </div> </div>
<i>Charitable Trusts, Director of</i> . . .	Ernest R. D'Amours
<i>Bank Commissioner</i> .....	Clyde M. Davis
<i>Deputy Commissioner</i> .....	Leon O. Gerry
<i>Cancer Commission, State</i> .....	<div style="display: flex; align-items: center;"> <div style="flex: 1;"> <div style="font-size: 3em; margin-right: 10px;">{</div> <div style="display: flex; flex-direction: column; gap: 5px;"> George W. Boynton  Joseph W. Epply  Ralph E. Miller  George C. Wilkins  James W. Jameson </div> </div> </div>
<i>Comptroller</i> .....	Arthur E. Bean
<i>Education, Commissioner of</i> .....	Hilton C. Buley
<i>Fire Control, State Board</i> .....	
<i>State Fire Marshal</i> .....	Aubrey G. Robinson
<i>Fish and Game Department, Director</i>	Ralph G. Carpenter, 2d.

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		Robert W. Upton
		Rae S. Laraba
		Richard E. Shute
		Louis E. Wyman
		Maurice F. Divine
		Oliver W. Branch
		Robert E. Earley

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		Donald Ramsay
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		Elwin L. Page
		Addie E. Towne

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		Edmond J. Marcoux
		Ray E. Tarbox



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<i>Motor Vehicle Commissioner</i> .....	Frederick N. Clarke
<i>Deputy Commissioner</i> .....	Kennard E. Goldsmith
<i>Director of Safety</i> .....	Ralph V. Gould
<i>Road Toll Administrator</i> .....	John S. Mara
<i>Personnel Commission, Director</i> ....	Roy Y. Lang
<i>Planning and Development     Commission, State</i>	
<i>Publicity Director</i> .....	Andrew M. Heath
<i>Executive Director</i> .....	Edward Ellingwood
<i>Industrial Director</i> .....	Merrill J. Teulon
<i>Police, State, Superintendent</i> .....	Ralph W. Caswell
<i>Probation, Board of</i> .....	{ Amos N. Blandin, Jr. Burt R. Cooper Lula J. A. Morris
<i>Director</i> .....	Richard T. Smith
<i>Public Utilities Commission</i> .....	{ Harold K. Davison Edgar H. Hunter Edward R. Thornton
<i>Public Welfare, Commissioner of</i> ...	James J. Barry
<i>Public Works and Highways,     Commissioner of</i> .....	Frank D. Merrill
<i>Deputy Commissioner</i> .....	John O. Morton
<i>Assistant Commissioner</i> .....	J. Harold Johnson
<i>Purchase and Property, Director</i> ...	Harold Cheney
<i>Racing Commission, State</i> .....	{ Albert W. Hamel Emmet J. Kelley Byron E. Redman
<i>Secretary of State</i> .....	Enoch D. Fuller
<i>Deputy</i> .....	Harry E. Jackson

*State Buildings and Grounds,**Superintendent* ..... Wayne B. Elwell

<i>Tax Commission, State</i> .....	{	Lawton B. Chandler
		Oliver W. Marvin
		John R. Spring

*Treasurer, State* ..... Winfield J. Phillips*Deputy* ..... Frank S. Merrill*Veterans Council, State* .....*Director* ..... Harold B. Trombley*Water Resources Board,**Chairman* ..... Walter G. White

## SUPREME COURT

<i>Chief Justice</i> .....	Francis W. Johnston
<i>Associate Justice</i> .....	{ Amos N. Blandin, Jr. Laurence I. Duncan Frank R. Kenison Edward J. Lampron

## SUPERIOR COURT

<i>Chief Justice</i> .....	John R. Goodnow
<i>Associate Justices</i> .....	{ William A. Grimes John H. Leahy Dennis E. Sullivan Harold E. Wescott Stephen M. Wheeler
<i>State Reporter</i> .....	George O. Shovan

# THE LEGISLATURE OF 1951

## SENATE

*President*—Blaylock Atherton, Nashua  
*Clerk*—Benjamin F. Greer, Grasmere  
*Assistant Clerk*—Frank M. Ayer, Alton  
*Sergeant-at-Arms*—John S. Ball, Hopkinton  
*Messenger*—Rene Dufort, Hooksett  
*Assistant Messenger*—Harold T. Baxter, Colebrook  
*Doorkeeper*—Frank D. Gay, Hillsboro  
*Telephone Messenger*—J. Russell Bickford, Northwood

## SENATORS

Fred G. Hayes, Jr., Berlin	Louis W. Paquette, Nashua
Charles H. Whittier, Bethlehem	Nathan A. Tirrell, Goffstown
Suzanne Loizeaux, Plymouth	Sara E. Otis, Concord
Winifred G. Wild, Jackson	J. Walker Wiggin, Manchester
John W. Dole, Bristol	Marye Walsh Caron, Manchester
George W. Tarlson, Laconia	Thomas B. O'Malley, Manchester
James C. Cleveland, New London	Raoul J. Lalumiere, Manchester
Lena A. Read, Plainfield	Thomas H. Burbank,* Rochester
Stanley M. Brown, Bradford	Charles Frederick Hartnett, Dover
Burleigh Robert Darling, Keene	Augustus F. Butman,* Derry
Ralph A. Blake, Swanzey	Margery W. Graves, Brentwood
Blaylock Atherton, Nashua	Thornton N. Weeks, Sr., Greenland

## HOUSE OF REPRESENTATIVES

*Speaker*—Lane Dwinell, Lebanon, Eagle Hotel  
*Clerk*—Cyril J. Fretwell, Concord, 246 North Main Street  
*Assistant Clerk*—Robert L. Stark, Goffstown, Home  
*Sergeant-at-Arms*—John Twombly, Hill, Home  
*Chaplain*—Austin H. Reed, Goffstown, Home  
*Custodian of Mail and Supplies*—  
Frank N. Jordan, Concord, 85 A No. State Street  
*Doorkeeper*—Sherman L. Greer, Manchester, Home  
*Doorkeeper*—Mabel L. Richardson, Randolph, Eagle Hotel  
*Doorkeeper*—Marie A. Christiansen, Berlin, Eagle Hotel  
*Doorkeeper*—George W. Philbrick, Concord, Home

\* Died.

## ROCKINGHAM COUNTY

*Atkinson*, Harry B. Tuttle, r.  
*Auburn*, Margaret A. Griffin, r. and d.  
*Brentwood*, Frederick W. Libby, r.  
*Candia*, Mary A. Wastcoat, r.  
*Chester*, Robert C. Hazelton, r.  
*Danville*, Mahlon B. Darbe, r.  
*Deerfield*, Alf G. Lindahl, r.  
*Derry*, Harry E. Clark, r.  
     William B. Cushing, r.  
     Charles H. Gay, r. and d.  
     Oliver H. Hepworth, r. and d.  
*East Kingston*, George B. Freeman, r.  
*Epping*, Lionel S. Fecteau, d.  
*Exeter*, Emory P. Eldredge, r.  
     Elizabeth E. Kendall, r.  
     James C. Rathbone, r.  
     Maude B. Richards, r.  
*Fremont*, Anthime D. LeComte, r.  
*Greenland*, Charles W. Bonney,\* r.  
*Hampstead*, Thorndyke Putnam, r.  
*Hampton*, Dean B. Merrill, r.  
     Donald A. Ring, r.  
*Hampton Falls*, James H. Thurlow, r.  
*Kensington*, Charles R. Eastman, d.  
*Kingston*, Charles M. McNeill, r.  
*Londonderry*, Charles H. Hall, r.  
*New Castle*, Thomas F. McCaffery, r.  
*Newfields*, Thomas R. Sheehy, r. and d.  
*Newington*, John E. Holden, r.

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\* Died.

*Newmarket*, Arthur A. Labranche, d.  
     F. Albert Sewall, d.  
*Newton*, Henry G. Wells, r.  
*North Hampton*, George G. Carter, r.  
*Northwood*, Ernest L. Pinkham, r. and d.  
*Nottingham*, Arthur W. McDaniel, r.  
*Plaistow*, Arthur T. Colcord, r.  
*Portsmouth*,  
     *Ward 1*, Leland W. Davis, r.  
         Mary C. Dondero, d.  
         Alice W. Sukeforth, r.  
     *Ward 2*, Charles T. Durell, r.  
         Harry H. Foote, r.  
         John H. Yeaton, r.  
     *Ward 3*, C Cecil Dame, r.  
         John J. Leary, d. and r.  
     *Ward 4*, Thurston A. Smart, r.  
     *Ward 5*, Edward J. Ingraham, d.  
*Raymond*, Thomas F. Bluitte, r.  
*Rye*, Manning H. Philbrick, r. and d.  
*Salem*, Walter F. Haigh, r.  
     Leonard B. Peever, r.  
*Sandown*, Not entitled.  
*Seabrook*, William H. Durkee, r.  
*South Hampton*, Not entitled.  
*Stratham*, W. Douglas Scamman, r.  
*Windham*, Thomas Waterhouse, Jr.,  
     r. and d.

## STRAFFORD COUNTY

*Barrington*, Roy V. Swain, r. and d.  
*Dover*,  
     *Ward 1*, Raymond H. Chase, r.  
         W. Raymond Stackpole, d.  
     *Ward 2*, Paul G. Karkavelas, r.  
         Joseph Marcotte, Jr., d. and r.  
         William N. Shaheen, d.  
     *Ward 3*, Levi F. Felker, r.  
         Carroll E. Fellows, r.  
     *Ward 4*, James Carroll,\* d.  
         Harley A. Crandall, r.  
         Charles H. Locke, r.  
     *Ward 5*, Emmet J. Flanagan, d.  
*Durham*, Oren V. Henderson,\* r. and d.  
*Farmington*, Carl C. Blanchard, r.  
     Ned L. Parker, r.

*Lee*, Frank I. Caldwell, d.  
*Madbury*, Not entitled.  
*Middleton*, Not entitled.  
*Milton*, John E. Horne, r.  
*New Durham*, William Smith, r. and d.  
*Rochester*,  
     *Ward 1*, Ernest L. Rolfe, r. and d.  
     *Ward 2*, Margaret E. Dustin, d. and r.  
         Fred Maxfield, r.  
     *Ward 3*, Barbara Winters, r.  
     *Ward 4*, Alphonse Lacasse, d.  
         Angeline M. Gilbert  
             St. Pierre, d.  
     *Ward 5*, Norma M. Studley, r.  
     *Ward 6*, Llewellyn F. Fernald, r.  
         Charles F. Leach, r.

Strafford County— *Continued**Rollinsford*, Fred L. Green, r.*Somersworth*,

Ward 1, Placide J. Lagueux, d.

Ward 2, Edward G. Letourneau, d.

Ward 3, Fred J. Coffin, d.

Ward 4, Leo H. Cater, d.

Ward 5, James F. Malley, d.

*Strafford*, Albert H. Brown, r.

## BELKNAP COUNTY

*Alton*, Frederick M. Perkins, r.*Barnstead*, Arthur H. McAllister, r.*Belmont*, Joseph L. Boutin, d.*Center Harbor*, Not entitled.*Gilford*, Lena D. Weeks, r. and d.*Gilmanton*, C. Roland Osborne, d. and r.*Laconia*,

Ward 1, Myron B. Hart, r. and d.

Ward 2, Fortunat A. Normandin,†

d. and r.

Alfred W. Simoneau, d. and r.

Ward 3, Elmer S. Tilton, r.

Ward 4, Otto G. Keller, r.

Robert P. Tilton, r.

Ward 5, David O'Shan, r.

Theodore M. Thompson, r.

Ward 6, John F. Brown, r.

John M. Ewing,\* r.

*Meredith*, Horace U. Ransom, r.

Joseph F. Smith, r.

*New Hampton*, Archibald H. Matthews, r.*Sanbornton*, Marion H. Atwood, r. and d.*Tilton*, Warren F. Metcalf, r.

\* Died.

† Resigned.

## CARROLL COUNTY

*Albany*, Not entitled*Bartlett*, Fred H. Washburn, r.*Brookfield*, Not entitled.*Chatham*, Not entitled.*Conway*, Mellen B. Benson, r.

Elmer H. Downs, r.

Leslie C. Hill, r.

*Eaton*, Not entitled.*Effingham*, Not entitled.*Freedom*, Not entitled.*Hart's Location*, Florence P. Morey,

r. and d.

*Jackson*, Not entitled.*Madison*, Guy W. Nickerson, r. and d.*Moultonborough*, G. Stewart Lamprey, r.*Ossipee*, Lisle O. Moulton, ind.*Sandwich*, Perley C. Knox, r.*Tamworth*, Earle H. Remick, r.*Tuftonboro*, Forrest W. Hodgdon, r. and d.*Wakefield*, Ansel N. Sanborn, r.*Wolfeboro*, Harold H. Hart,\* r.

John D. McHugh, r. and d.

\* Died.

## MERRIMACK COUNTY

*Allenstown*, Laurier Baron, d.*Andover*, Charles H. Putney, r.*Boscawen*, Elmer S. Ellsworth, r. and d.*Bow*, Andrew M. Nicoll, r.*Bradford*, Reuben S. Moore, r. and d.*Canterbury*, Albert A. Vogel, r.*Chichester*, Shirley A. Marden, r.*Concord*,

Ward 1, Fred M. Dodge, d.

James P. Ferrin, d.

Ward 2, Clarence I. Tebbetts, r.

Ward 3, Clyde B. Loiselle, r. and d.

Ward 4, Philip H. Blodgett,† r.

Harry H. Kennedy, r.

Charles W. Tobey, Jr.,

r. and d.

Ward 5, George L. Hurd, r.

Raymond K. Perkins, r.

Ward 6, George H. Corbett, r.

Eugene J. O'Neil, r.

Gertrude E. Saltmarsh, r.

John C. Tilton, r.

Merrimack County—*Continued**Concord,*

*Ward 7,* Shirley Brunel, r.  
 John E. Bunten, r.  
 Allen M. Freeman, r.  
 Marjorie M. Greene, r.

*Ward 8,* John G. Blodgett, r.

*Ward 9,* Emmett A. Nawn, r. and d.  
 C. Murray Sawyer, d. and r.

*Danbury,* Roy K. Sargent, r.

*Dunbarton,* David M. Hadley, r.

*Epsom,* Ralph E. Towle, r.

*Franklin,*

*Ward 1,* George W. Chase, r.

*Ward 2,* James M. Burke, d.  
 Alcide LaBranche, d.

*Ward 3,* Albert Ayotte, r.

Peter P. Charland, d.

*Henniker,* Diamond A. Maxwell, r. and d.

† Resigned.

*Hill,* George C. Mason, ind.

*Hooksett,* John E. Beale, d.

Edward M. DuDevoir, d.

*Hopkinton,* Nathaniel F. Davis, r. and d.

*Loudon,* Benjamin E. Smith, r.

*Newbury,* Randolph H. Milligan, r.

*New London,* Seth A. Lamson, r.

*Northfield,* Fred G. Wilman, r. and d.

*Pembroke,* George R. Lea, d.

Leo Gerard Payeur, d.

*Pittsfield,* Eralsey C. Ferguson, r.

E. Harold Young, r. and d.

*Salisbury,* Not entitled.

*Sutton,* John R. Powell, r. and d.

*Warner,* John P. H. Chandler, Jr., r.

*Webster,* Not entitled.

*Wilmot,* Leon E. Sawyer, r.

## HILLSBOROUGH COUNTY

*Amherst,* Nelle L. Holmes, r.

*Antrim,* F. Ewing Wilson, r.

*Bedford,* Gillis French, r. and d.

*Bennington,* Edward C. Black, r. and d.

*Brookline,* Grover C. Farwell, d.

*Deering,* Not entitled.

*Francestown,* Not entitled.

*Goffstown,* A. Kenneth Hambleton, r.

Alfred W. Poore, r.

Austin H. Reed, r.

*Greenfield,* Not entitled.

*Greenville,* William H. Doonan, r. and d.

*Hancock,* Robert English, r.

*Hillsborough,* R. Wayne Crosby, r.

Walter C. Sterling, r.

*Hollis,* Ann J. Goodwin, r.

*Hudson,* Roland W. Abbott, r.

Ned Spaulding, d.

*Litchfield,* Not entitled.

*Lyndeborough,* Erwin E. Cummings, r.

*Manchester,*

*Ward 1,* Marion B. Corliss, r.

William J. Kennedy, Jr., r.

James Pettigrew, r.

*Ward 2,* Harry J. Danforth, r.

Walter Clark Flanders, r.

Joseph H. Geisel, r. and d.

John Pillsbury, r.

*Ward 3,* Walter B. Connor, d.

Michael Joseph Dwyer, d.

Louis Israel Martel, d.

John J. Sweeney, d.

*Ward 4,* William J. Fitzgerald, d.

Dominick J. Kean, d.

Thomas F. Nolan, d.

*Ward 5,* Stanley J. Betley, d.

Etta L. Ellis, d.

Jeremiah B. Healy, d.

Alexander Kazakis, d.

Gedeon P. Proulx, d.

John Francis Shea, d.

*Ward 6,* Denis F. Casey, d.

Edward J. Cavanaugh, d.

Edward D. Clancy, d.

Joseph F. Ecker, d.

Daniel J. Healy, d.

John Zyla, d.

*Ward 7,* George E. Benoit, d.

Francis W. Downey, d.

Mark J. Gorham,\* d.

Moise Z. Marcoux, d.

Michael T. Sullivan, d.

*Ward 8,* George N. Constant, d.

Eugene H. Delisle, Sr., d.

John Kane, d.

Peter H. Roy, d.

Hillsborough County—*Continued*  
*Manchester,*

- Ward 9,* Fred Cary, d.  
 Henry J. Gagnon, d.
- Ward 10,* George S. Auger, d.  
 Oscar E. Getz, Sr., d  
 John J. Kearns, d.
- Ward 11,* Thomas Martin McCarthy, d.  
 John M. Roche, d.  
 Joseph J. Roukey, d.
- Ward 12,* George E. Laflamme,\* d.  
 Amelia Lareau, d.  
 Louis J. Soucy, d.  
 Leon J. Vaillancourt, d.
- Ward 13,* Rolland L. Chapdelaine, d.  
 Paul H. Daniel, d.  
 Lorenzo P. Gauthier, d.  
 Arthur E. Thibodeau, d.
- Ward 14,* Michael J. Cannon, d.  
 Michael S. Donnelly, d.  
 Michael P. Wedick, d.

*Mason,* Not entitled.

*Merrimack,* Bert L. Peaslee, r.

*Milford,* William M. Falconer, r.  
 George F. Nelson, r. and d.  
 Fred T. Wadleigh, r.

*Mont Vernon,* Not entitled.

*Nashua,*

*Ward 1,* Mabel Thompson Cooper, r.  
 Alice L. Ramsdell, r.  
 George W. Underhill, r.

*Ward 2,* George F. Boire, d. and r.  
 Clara M. Record, r.

*Ward 3,* Agenor Belcourt, d.  
 Wilbur D. Maynard, d.

*Ward 4,* Cornelius M. Brosnahan, d.  
 George D. Spalding, d.

*Ward 5,* Pierre F. Cote, d.  
 Emile E. Marquis,\* d.  
 Albert Maynard, d.

*Ward 6,* William Boisvert, d.  
 John B. Dionne, d.  
 Frank B. Shea, d.

*Ward 7,* Arthur J. Chartrain, d.  
 Adelard Dupont, d.  
 Frank E. Ryan, d.

*Ward 8,* Rodolphe Cormier, d. and r.  
 Alfred P. Grandmaison,  
 d. and r.  
 Louis M. Janelle, d.  
 Normand R. Pelletier,  
 d. and r.

*Ward 9,* Paul E. Bouthillier, d.  
 Arthur A. Pelletier, d.

*New Boston,* Edward F. Locke, r.

*New Ipswich,* Willmore D. Ashley, r.

*Pelham,* Andrew L. Mailloux, r. and d.

*Peterborough,* Perkins Bass, r.  
 Charles M. Cummings, r.

*Sharon,* Not entitled.

*Temple,* Not entitled.

*Weare,* Chester W. French, r. and d.

*Wilton,* David J. Barry, d.

*Windsor,* James I. Hines, r.

\* Died.

# CHESHIRE COUNTY

*Alstead,* Nelson C. Burnham, r. and d.

*Chesterfield,* Wakefield Dort, r.

*Dublin,* Katharine Jackson, r. and d.

*Fitzwilliam,* Pauline H. Miller, r.

*Gilsum,* Walter L. Maloney, ind.

*Harrisville,* Lawrence W. Rathbun, r.

*Hinsdale,* Frank W. Walker, r. and d.

*Jaffrey,* James B. Perry,\* r.

Carl C. Spofford, r.

*Keene,*

*Ward 1,* Milan Herbert Collins,\* r.

Howard W. Kirk, r.

John H. O'Neil, r.

*Ward 2,* Irene W. Landers, r.  
 Holland S. Wheeler, r.

*Ward 3,* Frank J. Bennett, r.  
 James M. Erwin, r.

*Ward 4,* Leroy E. Coddling, r. and d.  
 Gardner C. Turner, r.

*Ward 5,* Laurence M. Pickett, d.  
 Richard F. Walsh, d.

*Marlborough,* Benjamin G. Hall,\* r.

*Marlow,* Not entitled.

*Nelson,* Not entitled.

*Richmond,* Not entitled.

*Rindge,* Harry E. Sherwin, r.



Cheshire County—*Continued*

- Roxbury*, Not entitled.  
*Stoddard*, Not entitled.  
*Sullivan*, Not entitled.  
*Surry*, Not entitled.  
*Swansey*, Joseph Kershaw, r. and d.  
     Harry A. Worcester, r.  
*Troy*, Franklin L. Lang, d.

\* Died.

## SULLIVAN COUNTY

- Acworth*, Glenn N. Bascom, r.  
*Charlestown*, Martha McD. Frizzell,  
     r. and d.  
*Claremont*,  
     *Ward 1*, George W. Angus, r. and d.  
         Clara P. Brooks, r.  
         Sydney B. Converse, r. and d.  
     *Ward 2*, William F. Bissonnett, r.  
         Julia A. Millar, r.  
         Sam J. Nahil, r. and d.  
     *Ward 3*, William P. Baron, d.  
         Joseph D. Carton, d.  
         Alfred J. Marcotte, d.  
*Cornish*, Burnham Carter, Sr., r. and d.
- Croydon*, Not entitled.  
*Goshen*, Not entitled.  
*Grantham*, Not entitled.  
*Langdon*, Not entitled.  
*Lempster*, Not entitled.  
*Newport*, Elsie C. Bailey, d.  
     Edwin H. Perry, r.  
     Jesse R. Rowell, r.  
     Joseph D. Vaughan, r.  
*Plainfield*, Edward M. Pierce, d.  
*Springfield*, Not entitled.  
*Sunapee*, Clifford E. Gamsby, r.  
*Unity*, George S. Callum, r. and d.  
*Washington*, Not entitled.

## GRAFTON COUNTY

- Alexandria*, Not entitled.  
*Ashland*, Hiram F. Gingras, r.  
*Bath*, Edwin P. Chamberlin, r. and d.  
*Benton*, Not entitled.  
*Bethlehem*, James Elmer Harrington, r.  
*Bridgewater*, Not entitled.  
*Bristol*, Bowdoin Plumer, r.  
*Campton*, Philip S. Willey, r. and d.  
*Canaan*, Frank B. Clarke, r. and d.  
*Dorchester*, Not entitled.  
*Easton*, Not entitled.  
*Ellsworth*, Chester A. Avery, r.  
*Enfield*, Thomas J. Lorden, r. and d.  
*Franconia*, J. Everett Grass, r.  
*Grafton*, Elsie F. Williams, r. and d.  
*Groton*, Not entitled.  
*Hanover*, Edith P. Atkins, r.  
     Robert J. Fuller, r.  
     Charles A. Holden, r.  
*Haverhill*, Theodore Chamberlin, r.  
     Norman A. McMeekin, r.  
     Finlay P. Sleeper, r.
- Hebron*, Not entitled.  
*Holderness*, John M. Crafts, r. and d.  
*Landaff*, Not entitled.  
*Lebanon*, Arthur F. Adams, r.  
     Jerold M. Ashley, r.  
     Forrest B. Cole, r.  
     Lane Dwinell, r.  
     Fred A. Jones, r.  
     Harold G. Randall, r.  
*Lincoln*, Charles Griffin, d.  
*Lisbon*, James E. Collins, r.  
     Arthur L. Hamilton, r.  
*Littleton*, Van H. Gardner, r.  
     Fred Kelley, r. and d.  
     Eda C. Martin, r.  
*Lyman*, Not entitled.  
*Lyme*, Henry S. Pushee, r.  
*Monroe*, Howard W. Burrill, r.  
*Orange*, Not entitled.  
*Orford*, Harland C. Skinner, r.  
*Piermont*, Earl V. Howard, r. and ind.

*Grafton County—Continued*

*Plymouth*, Kenneth G. Bell, r. and d.  
                   Elmer E. Huckins, r.  
*Rumney*, Jesse A. Barney r. and d.  
*Thornton*, Ida M. Horner, r.

*Warren*, Fayne E. Anderson, r. and d.  
*Waterville*, Sarah J. Woodward, r.  
*Wentworth*, Charles A. Gilbert, d.  
*Woodstock*, Ida T. Sawyer, d. and r.

## COOS COUNTY

*Berlin*.

*Ward 1*, Oliver A. Dussault, d.  
                   Edward F. Hinchey d.  
                   Henry M. Moffett, d.  
                   Lena M. Shields, d. and r.  
*Ward 2*, Romeo Desilets, d. and r.  
                   Harry L. Henderson, d.  
                   Frank H. Sheridan, d. and r.  
*Ward 3*, Hilda C. F. Brungot, r.  
                   Lawrence Morel, d.  
                   John S. Sullivan, d.  
*Ward 4*, Arthur A. Bouchard, d.  
                   Jennie Fontaine, d.  
                   Victor N. Laforce, d.  
                   Bernard J. Roy, d.

*Carroll*, Oscar E. Rines, r.

*Clarksville*, Not entitled.

*Colebrook*, Curtis C. Cummings, r.

                  Fred H. Gould, r.

*Columbia*, Lovell V. Oakes, r. and d.

*Dalton*, William O. Emerson, r.

*Dummer*, Not entitled.

*Errol*, Not entitled.

*Gorham*, James A. Fraser, d.

                  Walter J. Malloy, d. and r.

*Jefferson*, Raymond G. Kimball, r. and d.

*Lancaster*, John B. Evans, r. and d.

                  Arthur L. Simonds, r.

*Milan*, Joseph W. Means, r.

*Millsfield*, Not entitled.

*Northumberland*,

                  Columbus Christopher, r.

                  Ismond D. Ellingwood, r.

*Pittsburg*, Merton L. Hilliard, r.

*Randolph*, Not entitled.

*Shelburne*, Not entitled.

*Stark*, Not entitled.

*Stewartstown*, Ray W. Placy, r. and d.

*Stratford*, Bert Stinson, d.

*Wentworth's Location*, Not entitled.

*Whitefield*, Ada C. Taylor, r. and d.

# SPECIAL SESSION

APRIL 25 - MAY 18, 1950

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## CHAPTER 1.

### AN ACT RELATIVE TO WATER POLLUTION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Water Pollution.** Amend (a) of paragraph II, section 3, chapter 166-A, Revised Laws, as inserted by chapter 183, Laws of 1947, by striking out the same and inserting in place thereof the following: (a) Class B-1 waters shall have no objectionable physical characteristics, shall be near saturation for dissolved oxygen, and shall contain not more than two hundred forty coliform bacteria per one hundred milliliters. There shall be no disposal of sewage or industrial waste into said waters except those which have received adequate treatment to prevent the lowering of the physical, chemical or bacteriological characteristics below those given above, nor shall such disposal of sewage or waste be inimical to fish life or to the maintenance of fish life in said receiving waters. The waters of this classification shall be considered as being acceptable for bathing and other recreational purposes and, after adequate treatment, for use as water supplies.

**2. Temporary Permits Authorized.** Amend paragraph III of section 7, chapter 166-A of the Revised Laws by striking out said paragraph and inserting in place thereof the following: III. In the interim between July 1, 1947 and the classification by the legislature of any surface water or section thereof, it shall be unlawful for any person, or persons, to dispose of any sewage or waste into any surface water in excess of the maximum quantity, or of a different character, than that being dis-

charged during the period of one year prior to July 1, 1947, without first obtaining written permission from the commission. In instances where the commission has not determined a recommended classification in accordance with the provisions of section 5, it may grant temporary permission to so discharge pending a recommended classification under such terms and conditions as the commission may prescribe, and in case the commission has already determined a classification to so recommend it shall give permission if such sewage or waste will not lower the quality of water below the said determined classification.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 11, 1950.]

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## CHAPTER 2.

### AN ACT RELATING TO HOUSING AUTHORITIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Powers of Housing Authority.** Amend paragraph III, of section 8, Part I of chapter 169 of the Revised Laws, as amended by section 3, chapter 286, Laws of 1947, by striking out said paragraph and inserting in place thereof the following: III. To arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works, or facilities for, or in connection with, a housing project or the occupants thereof; and (notwithstanding anything to the contrary contained in this chapter or in any other provisions of law) to agree to any conditions attached to federal financial assistance relating to the determination of prevailing salaries or wages or payment of not less than prevailing salaries or wages or compliance with labor standards, in the development or administration of projects, and to include in any contract awarded or entered into in connection with a project, stipulations requiring that the contractor and all sub-contractors comply with requirements as to minimum salaries or wages and maximum hours of labor, and comply with any conditions attached to the financial aid of the project.

2. **Limitations.** Amend section 10, Part I of chapter 169 of the Revised Laws, as amended by section 3, chapter 286, Laws of 1947, by striking out said section and inserting in place thereof the following: **10. Rentals and Tenant Selection.** In the operation or management of housing projects an authority shall at all times observe the following duties with respect to rentals and tenant selection: (a) It may rent or lease the dwelling accommodations therein only to persons of low income and at rentals within the financial reach of such persons of low income; (b) it may rent or lease to a tenant dwelling accommodations consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding; and (c) it shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of one hundred dollars for each minor member of the family other than the head of the family and his spouse, in excess of five times the annual rental of the quarters to be furnished such person or persons; in computing the rental for this purpose of admitting tenants, there shall be included in the rental the average annual cost (as determined by the authority) to occupants of heat, water, electricity, gas, cooking fuel and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental; provided, that an authority may agree to conditions as to tenant eligibility or preferences required by the federal government pursuant to federal law in any contract for financial assistance with the authority.

Nothing contained in this or the preceding section shall be construed as limiting the power of an authority, with respect to a housing project, to vest in an obligee the right, in the event of a default by the authority, to take possession thereof or cause the appointment of a receiver thereof, free from all the restrictions imposed by this or the preceding section.

3. **Powers of Municipality.** Amend paragraph X, section 22, Part I, of chapter 169 of the Revised Laws, as amended by section 3, chapter 286, Laws of 1947, by striking out said paragraph and inserting in place thereof the following: X. Enter

into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary), with a housing authority respecting action to be taken by such municipality pursuant to any of the powers granted by this chapter. If at any time title to, or possession of, any project is held by any public body or governmental agency authorized by law to engage in the development or administration of low-rent housing or slum clearance projects, including any agency or instrumentality of the United States of America, the provisions of such agreements shall inure to the benefit of, and may be enforced by, such public body or governmental agency. Any law or statute to the contrary notwithstanding, any sale, conveyance, lease or agreement provided for in this section may be made by a municipality without appraisal, public notice, advertisement or public bidding.

**4. Federal Assistance.** Amend section 30, Part I, chapter 169, of the Revised Laws, as inserted by section 10, chapter 169, Laws of 1947, by striking out said section and inserting in place thereof the following: **30. Veterans Preference.** The families of servicemen and the families of veterans of World War II (other than those dishonorably discharged), and the families of servicemen who died in the service during World War II, shall be granted a preference as between applicants equally in need and eligible for occupancy of the dwelling at the rent involved for all dwellings constructed or operated pursuant to the housing authorities law, and this preference shall continue until December 31, 1951; provided, that an authority may agree to conditions as to tenant eligibility or preference required by the federal government pursuant to federal law in any contract for financial assistance with the authority.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved May 16, 1950.]

## CHAPTER 3.

AN ACT PROVIDING FOR RECOUNT OF BALLOTS ON CERTAIN  
REFERENDUM QUESTIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Town Meetings.** Amend chapter 34 of the Revised Laws by inserting after section 102 the following new sections: **102-a. Application Fee.** If any ten voters of a town shall, before the expiration of fifteen days from the date of an annual meeting, apply in writing to the town clerk for a recount of the ballots given in at said meeting on any question, affecting said town only, legally appearing on the official Australian or non-partisan ballot used at said meeting, said clerk shall appoint a time and place for the recount not earlier than seven days nor later than ten days after the receipt of said application. The applicants for such recount shall pay to the town clerk, for the use of the town, a fee of ten dollars.

**102-b. Procedure.** The recount shall be held at the time and place appointed and the ballots shall be recounted by the board of recount established by section 98. Upon the conclusion of the recount the ballots shall be preserved as provided in section 99.

**102-c. Declaration of Results.** If in the case of a recount of votes as above provided it shall appear that the result of the vote on the question was other than as declared by the moderator, the board of recount shall declare the result found by it and shall, after five days from such declaration, if no appeal is taken to the superior court, certify such declaration to the town clerk and said declaration shall be final, unless the result is changed upon appeal to the superior court.

2. **Recount.** Amend chapter 34 of the Revised Laws by inserting after section 111 the following new sections: **111-a. Constitutional Amendments.** The governor with the advice and consent of the council shall, when in their opinion the public interest shall require it, and prior to the issuance of the proclamation announcing the result of the vote, order the secretary of state to recount the ballots cast on any question which may be submitted to the voters of the state by a constitutional convention. The recount shall take place at the state house at such time as the secretary of state may appoint and

under such rules of procedure as he shall determine. The secretary of state shall publish notice of the time and place of the recount once in a newspaper of general circulation throughout the state.

**111-b. County Referendum.** The secretary of state shall recount the ballots cast on any question which may be submitted to the voters of a county at a biennial election under the provisions hereinafter set forth. Application for such a recount shall be by written petition signed by at least fifty legal voters of said county presented to the secretary of state within ten days after the biennial election. The recount shall take place at the state house at such time as the secretary of state may appoint and under such rules of procedure as he shall determine. The secretary of state shall publish notice of the time and place of the recount once in a paper of general circulation throughout the county. The fee for such a recount on a question voted on throughout a county shall be twenty-five dollars which shall be paid to the secretary of state by the person submitting the application.

**111-c. Declaration.** If, in case of a recount of such votes, it shall appear that the result of the voting on said question is other than that declared upon a canvass of returns from the clerks of towns and wards the secretary of state shall declare the result found by him, which shall be final unless the result is changed upon appeal to the superior court.

**3. City Municipal Meeting.** Amend chapter 34 of the Revised Laws by inserting after section 122, as inserted by chapter 22 of the Laws of 1943, the following new sections: **123. Cities.** If twenty-five legal voters of a city shall, before the expiration of fifteen days from the date of an annual or biennial municipal meeting, apply in writing to the city clerk for a recount of the ballots given in at said meeting on a question affecting said city only, the clerk shall appoint a time for the recount not earlier than seven days nor later than ten days after the receipt of said application. The applicants for such recount shall pay to the city clerk for the use of the city, a fee of twenty-five dollars.

**124. Procedure.** At the time appointed the city council shall meet in convention and shall recount the ballots under such rules of procedure as they shall determine.

**125. Declaration.** If, in case of a recount of such votes, it shall appear that the result of the voting on said question is



other than that declared upon a canvass of the votes by the city council after a municipal election, the city council shall declare the result found by it upon such recount and such declaration shall be final unless the result is changed upon appeal to the superior court.

**4. Application of Statutes.** Nothing herein contained shall be deemed to affect the provisions of sections 44-47 inclusive, of chapter 170 of the Revised Laws, as amended, relative to recount of votes cast upon questions as to the sale of liquor or beverages.

**5. Portsmouth; Special Provision.** The city council, which has in its custody the ballots cast in the city of Portsmouth at a municipal election held on November 8, 1949, is authorized to cause a recount of said ballots to be made under its supervision, on the question propounded by authority of chapter 292, Laws of 1949; and upon completion of said recount said council shall certify the result thereof to the city clerk of Portsmouth and the result of said recount on such question shall supersede the original count and be determinative of the adoption or non-adoption of chapter 292, Laws of 1949, in said city of Portsmouth.

**6. Severability.** If any provisions of this act, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved May 16, 1950.]

**CHAPTER 4.****AN ACT RELATIVE TO RETIREMENT BENEFITS FOR OFFICIALS AND  
EMPLOYEES OF THE MAINE-NEW HAMPSHIRE INTERSTATE  
BRIDGE AUTHORITY.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Interstate Bridge Authority.** Amend chapter 201 of the Laws of 1945 by inserting after section 2 the following new sections: **2-a. Retirement Benefits.** The Maine-New Hampshire Interstate Bridge Authority may, by resolution legally adopted, in form approved by the board of trustees of the state employees' retirement system, elect to have its New Hampshire officers and employees become eligible to participate in the state employees' retirement system. After such election, said Authority shall be known as an employer for the purposes of this chapter and for the purposes of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945. The board of trustees of the state employees' retirement system shall set a date when the participation of the officers and employees of said Authority shall become effective, and then such officers and employees may become members of the state employees' retirement system and participate therein.

**2-b. Membership Requirements.** Membership in the state employees' retirement system shall be optional for the New Hampshire officers and employees of said Authority who are in its service on the date when participation becomes effective and any such officer or employee who elects to join said system shall be entitled to a prior service certificate covering such periods of previous service rendered to such Authority or the state for which the Authority is willing to make accrued liability contributions. Membership shall be compulsory for all New Hampshire employees entering the service of the Authority after the date participation becomes effective.

**2-c. Reports.** The chief fiscal officer of the Authority shall submit to the board of trustees such information and shall cause to be performed, with respect to the New Hampshire employees of said Authority who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provisions hereof.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 16, 1950.]

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## CHAPTER 5.

### AN ACT PROVIDING FOR A REORGANIZATION OF THE STATE GOVERNMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Short Title.** This act shall be known as the Reorganization Act of 1950.

#### Part 1

#### Removal of Governor as an *ex officio* Member of Certain Boards and Commissions

**1. Trustees.** Amend section 2 of chapter 14 of the Revised Laws by striking out said section and inserting in place thereof the following: **2. Appointment.** The state sanatorium trustees shall be the persons designated for the terms specified in section 3 of part 21 hereof; there shall be a board of seven trustees for each of the other said four institutions, the appointed members of which shall serve without pay but shall be allowed their reasonable expenses. Six members of each of said boards shall be appointed by the governor and council for terms of six years; provided, however, that the present appointed members of the boards shall complete their respective terms. A new member shall be appointed forthwith to each of said boards for a term to expire June 30, 1955. Vacancies in said boards shall be filled by the governor and council for the unexpired terms. Any appointed member of said boards may be removed by the governor and council at any time for cause. Such member of the council as the governor may designate shall be an *ex officio* member of each of said boards of trustees. The chairman of each board shall be one of the six appointed members and shall be designated by the governor and council. Services rendered by any member of the council in carrying out any of the provisions of this chapter shall be considered as the performance of his duties as councilor.

**2. Board of Health; Membership.** Amend section 2 of chapter 147 of the Revised Laws as inserted by section 1 of chapter 15 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **2. State Board of Health.** The state board of health shall consist of the attorney-general *ex officio* and six other members, three to be physicians, one a civil engineer, and two who shall be neither physicians nor civil engineers, appointed by the governor with the advice and consent of the council for a term of six years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms; provided, however, that the present members of the board shall complete their respective terms. A new member shall be appointed forthwith and his term shall expire January 30, 1956. It shall be the duty of the board to supervise the department that its duties may be effectuated, to make such rules and regulations and take action necessary or desirable to carry out the provisions of public health laws under its jurisdiction, to establish such divisions within the department as may be necessary for efficient administration and to appoint the heads of such divisions, except as otherwise specifically provided by statute.

**3. Cancer Commission.** Amend section 1 of chapter 152 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Commission.** There shall be a state cancer commission consisting of six members, five to be appointed by the governor with the advice of the council, one of whom shall be a physician experienced in cancer treatment, another a member of the state board of health, another a member of the New Hampshire Medical Society, and two to be non-medical; the state health officer shall be a member, *ex officio*, but shall have no vote. Members of the commission shall serve without compensation but shall receive their necessary expenses while in the performance of their duties; provided, however, that the present members of the cancer commission shall continue as members of the commission.

**4. Commission; Organization.** Amend chapter 152 of the Revised Laws by striking out section 5 and inserting in place thereof the following: **5. Organization.** The commission shall elect one of their number to be chairman and one of their number to be secretary.

## Part 2

### Transfer of Certain Functions of the Governor and Council

**1. Transfer by Comptroller.** Amend chapter 22 of the Revised Laws by inserting after section 28 the following new section: **28-a. Transfer of Appropriations; Comptroller.** The governor and council may authorize the comptroller to make such transfers of appropriation items and changes in allocation of funds available for operational purposes within any division or functional unit of a department or institution as may be necessary or desirable to best carry out the purpose of such division or functional unit of such department or institution.

**2. Secretary of State; Assistants.** Amend section 14 of chapter 21 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. Clerks and Assistants.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, the secretary of state may employ a chief clerk and such other clerks and assistants as may be necessary.

**3. Treasurer; Assistance.** Amend section 4 of chapter 22 of the Revised Laws by striking out said section and inserting in place thereof the following: **4. Assistants.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, he may employ such clerical assistance as may be necessary.

**4. Attorney-General; Clerical Force.** Amend section 12 of chapter 24 of the Revised Laws by striking out said section and inserting in place thereof the following: **12. Clerical Force.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, he may employ a law clerk and such clerical and stenographic assistants as may be necessary.

## Travel

**5. Travel.** Amend chapter 22 of the Revised Laws by striking out section 37 and inserting in place thereof the following: **37. Exception.** The provisions of the preceding section shall not apply to expenses for trips incident to the regular conduct of state business when undertaken by only one person within a department, and provided such trips are within the department's available appropriations and funds.

### Part 3

#### Administrative Assistant to the Governor

1. **Assistant.** Amend chapter 27 of the Revised Laws by inserting after section 47 the following new section: 47-a. **Administrative Assistant.** The governor may employ an administrative assistant who shall serve at his pleasure, shall receive such compensation as the legislature may appropriate, and shall render such services as the governor may require of him.

2. **Appropriation.** The sum of six thousand dollars is hereby appropriated for the fiscal year ending June 30, 1951, for the purposes of this part.

3. **Governor's Salary.** Amend section 45 of chapter 27 of the Revised Laws by striking out said section and inserting in place thereof the following: 45. **Governor's Salary.** The annual salary of the governor shall be ten thousand dollars.

4. **Effective Date; Appropriation.** The provisions of section 3 of this part shall not be effective until January 3, 1951. The sum of two thousand dollars is hereby appropriated for the fiscal year ending June 30, 1951 for the purpose of the additional salary of the governor provided herein.

### Part 4

#### Department of State

1. **Department Established.** Amend section 1 of chapter 21 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. **Department; Election; Bond.** There is hereby established a department of state under the executive direction of the secretary of state. The secretary of state shall be chosen biennially in the manner directed in the constitution. The penal sum of his bond shall be ten thousand dollars, and the sureties upon it must be satisfactory to the governor and council.

2. **Transfer of Commissions and Boards.** Amend said chapter 21, as amended by section 13, chapter 265, Laws of 1949, by inserting after section 18 the following new sections: 19. **Transfer.** The ballot law commission, as provided in chapter 34-A of the Revised Laws, as inserted by chapter 211 of the Laws of 1947, the athletic commission, as provided in

chapter 172 of the Revised Laws, as amended, the board of accountancy, as provided in chapter 320 of the Revised Laws, the board of registration for architects, as provided in chapter 197 of the Laws of 1947, the board of chiropractic examiners, as provided in chapter 252 of the Revised Laws, as amended, the board of registration for professional engineers, as provided in chapter 170 of the Laws of 1945, and the board of registration in optometry, as provided in chapter 253 of the Revised Laws, as amended, are continued but are hereby transferred to the department of state, and each shall function within said department as a separate organizational entity, as heretofore constituted, and with all the powers and duties as heretofore provided, except as otherwise specified herein. **20. Regulations Available.** The secretary of state shall have available the rules and regulations affecting the issuance of licenses or certificates of registration by each professional or trade licensing or registering board or commission enumerated in the preceding section; he shall require from the secretary of each of said boards or commissions such information as will enable him to carry out the purposes hereof. **21. Uniform Records.** So far as practicable, and after consultation with the professional and trade licensing and registering boards and commissions within the department of state, the secretary of state shall prescribe uniform procedures for all secretarial and recording activities of said boards and commissions.

**3. Athletic Commission.** Amend chapter 172 of the Revised Laws, as amended, by inserting after section 16 the following new section: **16-a. Report.** The chairman-secretary shall file with the secretary of state, in such form and at such times as the secretary of state may prescribe, such information as is necessary to maintain in the department of state a current record of rules and regulations of the athletic commission affecting the issuance of licenses.

**4. Board of Accountancy.** Amend chapter 320 of the Revised Laws by inserting after section 12 the following new section: **12-a. Report.** The secretary-treasurer shall file with the secretary of state, in such form and at such times as the secretary of state may prescribe, such information as is necessary to maintain in the department of state a current record of rules and regulations of the board of accountancy affecting the issuance of licenses.

5. **Board of Registration for Architects.** Amend chapter 197 of the Laws of 1947 by inserting after section 9 the following new section: **9-a. Form of Report.** Said biennial report shall be in such form as may be prescribed by the secretary of state.

6. **Board of Chiropractic Examiners.** Amend chapter 252 of the Revised Laws, as amended, by inserting after section 7 the following new section: **7-a. Report.** The secretary-treasurer shall file with the secretary of state, in such form and at such times as the secretary of state may prescribe, such information as is necessary to maintain in the department of state a current record of rules and regulations of the board of chiropractic examiners affecting the issuance of licenses.

7. **Repeal.** Section 5 of chapter 252 of the Revised Laws is hereby repealed.

8. **Board of Registration of Engineers.** Amend chapter 170 of the Laws of 1945 by inserting after section 9 the following new section: **9-a. Form of Report.** Said biennial report shall be in such form as may be prescribed by the secretary of state.

9. **Board of Registration in Optometry.** Amend chapter 253 of the Revised Laws, as amended, by inserting after section 31 the following new section: **32. Report; Secretary of State.** The secretary shall file with the secretary of state, in such form and at such times as the secretary of state may prescribe, such information as is necessary to maintain in the department of state a current record of rules and regulations of the board of registration in optometry affecting the issuance of licenses.

## Part 5

### Attorney-General

1. **Transfer.** Amend chapter 24 of the Revised Laws by inserting after section 11 the following new section: **11-a. Attorneys Transferred.** Upon request of the attorney-general the governor is hereby authorized to transfer any employee authorized to do legal work, and all unexpended appropriations and funds allocated for the payment of such employee's salary, from any department or agency of the state to the office of



attorney-general whenever such action is deemed by the governor to be in the best interest of the state. Any such employee so transferred or employed by the expenditure of such funds and appropriations shall be directly responsible to the attorney-general and shall perform such services as the attorney-general may direct.

**2. Appointment.** Amend the subdivision of chapter 24 of the Revised Laws entitled "The Assistant Attorney-General," being sections 14, 15, 16 and 17, as amended, by striking out said subdivision and inserting in place thereof the following:

#### **Deputy and Assistant Attorneys-General**

**14. Deputy Attorney-General; Appointment.** The governor and council shall nominate and appoint a deputy attorney-general in the same manner provided by the constitution for the appointment of the attorney-general. He shall hold office for the term of five years. Any vacancy shall be filled for the unexpired term. He may be removed only in the manner provided by section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as amended herein.

**15. Assistant Attorneys-General.** The attorney-general, subject to the approval of the governor and council, shall appoint three assistant attorneys-general, each of whom shall hold office for a term of five years. Any vacancy in such office shall be filled for the unexpired term. An assistant attorney-general may be removed only as provided by section 48, chapter 27, Revised Laws, as inserted by chapter 231 of the Laws of 1947, as amended herein.

**16. Duties.** The attorney-general shall direct the work of his department but may assign such of his duties to the deputy and assistant attorneys-general as he may deem advisable and in the interest of the public welfare.

**17. Deputy Attorney-General.** The deputy attorney-general shall act as attorney-general whenever the latter is absent or unable to act from any cause, provided he shall not so act when the governor and council have appointed an acting attorney-general in accordance with the provisions of section 13.

3. **Present Officials.** The assistant attorney-general, in office at the date of the passage of this act, shall forthwith be appointed by the governor and council as deputy attorney-general for a term which shall expire June 16, 1953.

4. **Salaries; Longevity; Qualifications.** Further amend said chapter 24 by striking out section 4 and inserting in place thereof the following: 4. **Salaries; Expenses; Offices.** Notwithstanding the provisions of chapter 250 of the Laws of 1947, as amended, the annual salary of the attorney-general shall be a minimum of eight thousand five hundred dollars and a maximum of nine thousand dollars, that of the deputy attorney-general shall be a minimum of seven thousand dollars and a maximum of seven thousand five hundred dollars, that of each assistant attorney-general shall be a minimum of six thousand dollars and a maximum of six thousand five hundred dollars. Upon appointment, each of the foregoing officers shall be entitled to the minimum salary herein set forth. Each year thereafter each of said officers shall be entitled to an increase of one hundred dollars for each year, but in no case shall the total salary exceed the maximum herein established. Their offices shall be in Concord and each shall have been admitted to the practice of law in New Hampshire.

5. **Appropriation.** The sum of twenty-two thousand one hundred dollars is hereby appropriated for the fiscal year ending June 30, 1951, for the purpose of providing funds for the additional salaries for the office of the attorney-general, as hereinbefore provided.

#### **Commission on Uniform State Laws**

6. **Membership.** Amend the Revised Laws by striking out chapter 7-A as inserted by chapter 100 of the Laws of 1947, and inserting in place thereof the following new chapter:

#### **Chapter 7-A**

##### **Commission to Study Uniform State Laws**

1. **Commission Created.** There shall be a commission to study uniform state laws consisting of two members of the New Hampshire bar appointed biennially by the governor with the consent of the council for terms of four years, and the attorney-general, *ex officio*; provided, however, that the present attorney members of the commission on uniform state laws

shall be members of the commission created hereunder until the expiration of the terms for which they were appointed to the commission on uniform state laws.

**2. Duties.** It shall be the duty of said commissioners to promote uniformity in state laws on all subjects where uniformity is desirable and practicable, and to meet and act with other similar commissions appointed from other states for the above purpose, to be represented at each annual conference of the national commissioners, and to file with the secretary of state not later than the last December first preceding each legislative session, for the use of the governor and the general court, a report of the progress of uniform legislation both within and without the state to the end that uniform legislation, where desirable and practical, be adopted in this state. The attorney-general shall act as secretary of the commission and shall maintain a record of its proceedings in his office.

**3. Compensation.** Said appointive commissioners shall serve without compensation but shall be reimbursed for expenses incurred while engaged in their official duties, in attending the national conference and in making the biennial report.

**4. Appropriations.** For the purpose of promoting and continuing to hold national conferences the sum of one hundred and fifty dollars shall be appropriated, annually, and paid over to the National Conference of Commissioners on Uniform State Laws, and an additional sum of two hundred and fifty dollars shall be likewise appropriated annually, to defray the expenses as provided in section 3.

**7. Commission Abolished.** The commission on uniform state laws established by chapter 100 of the Laws of 1947 is hereby abolished and all records and papers of said commission shall be forthwith turned over to the attorney-general.

### Commission on Interstate Co-operation

**8. Duties of Attorney-General.** Amend chapter 145 of the Laws of 1935 by striking out section 2, as amended by chapter 35 of the Laws of 1949, and inserting in place thereof the following: **2. Membership.** The said commission shall be composed of fifteen members, fourteen of whom shall be appointed as follows: five members of the senate, to be appointed by the president of the senate, five members of the

house of representatives, to be appointed by the speaker of the house, and four officials of the state, to be appointed by the governor. The attorney-general shall serve as an *ex officio* member in the capacity of chairman of the commission. A record of the proceedings of the commission shall be kept in the office of the attorney-general.

**9. Terms.** Further amend said chapter by striking out section 3, as amended by section 2 of chapter 35 of the Laws of 1949, and inserting in place thereof the following: **3. Terms of Office.** The state officials appointed as members of said commission shall serve for one, two, three and four years respectively and until their successors are appointed and qualified or until their term of office as a state official shall expire, whichever is earlier, and future appointments shall be made for a four-year term as the terms of the members expire; provided, however, that the present members shall remain in office subject to all the provisions hereof. In case of vacancies, appointments shall be made for the unexpired term. The members of the commission who are members of the senate and house of representatives shall serve during their term as such members of the senate and house of representatives and until their successors are appointed.

**10. Transmittal.** The secretary of state shall forthwith send a copy of this subdivision to the governor and secretary of state of each state which participates in the council of State Governments.

## Part 6

### Administration and Control

**1. Department.** Amend the Revised Laws by inserting after chapter 23 the following new chapter:

#### Chapter 23-A

##### Department of Administration and Control

**1. Department Established.** The offices of comptroller, as provided in chapter 23 of the Revised Laws, as amended, purchasing agent, as provided in chapter 14-A of the Revised Laws, as inserted by chapter 21 of the Laws of 1943, as amended, and the superintendent of buildings and grounds, as

provided in chapter 12 of the Revised Laws, and their respective functions, powers and duties are hereby consolidated and transferred to and shall constitute a department of administration and control, under executive direction of the comptroller; said department shall consist of a division of budget and control, a division of accounts, and a division of purchase and property.

**2. Comptroller.** The governor, with the advice and consent of the council, shall appoint a comptroller who shall hold office for a term of six years from the date of his appointment and until his successor is appointed and qualified, and any vacancy in such office shall be filled for the unexpired term; provided, however, that the comptroller heretofore appointed shall continue as comptroller for the remainder of his present term, and subject to all the provisions hereof.

**3. Removal.** The governor and council may remove the comptroller only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231, Laws of 1947, as amended herein.

**4. Salary.** The annual salary of the comptroller shall be as provided in chapter 250 of the Laws of 1947.

**5. Powers and Duties.** The comptroller shall:

I. Be the executive officer of the department of administration and control, and administer its affairs, subject to the provisions hereof;

II. Organize the work of the department and appoint directors, as hereafter provided, and employees of the department except divisional employees in accordance with state personnel regulations, and within the limits of available appropriations and funds;

III. Direct and supervise the various divisions of the department;

IV. Furnish to any committee of either house of the legislature having jurisdiction over revenue or appropriations such aid and information regarding the financial affairs of the state as it may request;

V. When so authorized by the governor and council, make such transfers of appropriation items within any division or functional unit, as may be necessary or desirable to best carry out the purpose of such division or functional unit;

VI. Discharge such other responsibilities as may be imposed upon him by law.

### **Division of Budget and Control**

6. **Budget.** There shall be a division of budget and control under the executive direction of a director of budget and control. The comptroller shall act as said director.

7. **Duties.** The director of budget and control shall:

I. Organize the work of the division and appoint employees of the division in accordance with state personnel regulations, and within the limits of available appropriations and funds;

II. Conduct a continuous study of the financial operation, needs and resources of the state;

III. Install and operate a system of governmental cost accounting;

IV. Formulate the budget plan and assist the governor in the preparation of a tentative budget, and the budget document, as provided in chapter 23 of the Revised Laws, as amended;

V. Recommend to the governor and council appropriate quarterly allotments, for each department or agency of the state, for the proper operation of the budget, upon the basis of which expenditure warrants might be issued by the governor and council;

VI. Review and report to the governor and council on the operation of the budget plan;

VII. Cooperate with the department of public works in long range capital planning to meet the needs of the state as may be requested by the governor and council, and subject to their approval.

### **Division of Accounts**

8. **Accounts.** There shall be a division of accounts under the executive direction of a director of accounts.

9. **Director.** The comptroller, subject to the approval of the governor and council, shall appoint a director of accounts, who shall be a certified public accountant and who shall hold office during good behavior.

**10. Removal.** The governor and council may remove the director of accounts only as provided in section 48 of chapter 27 of the Revised Laws, as inserted by chapter 231 of the Laws of 1947, as amended herein.

**11. Salary.** The annual salary of the director of accounts shall be a minimum of five thousand dollars, and a maximum of five thousand five hundred dollars.

**12. Duties.** Subject to the direction and supervision of the comptroller, the director of accounts shall:

I. Organize the work of the division and appoint employees of the division in accordance with state personnel regulations, and within the limits of available appropriations and funds;

II. Prescribe a uniform system of accounts and reports of financial transactions for all departments and agencies of the state, other than those of the legislative branch, and supervise their maintenance; and he shall also prescribe accounting methods in accordance with which all agents and agencies of the state shall receive money for the state from sources outside the state treasury, and account therefor; and he shall establish such controls and make such rules and regulations as will provide an accurate record of all funds so received and covered into the treasury.

III. Install and maintain a system of central state accounting records;

IV. Maintain a system of encumbrance accounting to control expenditures and commitments within budget appropriations;

V. Review all state contracts for budget control and for substantive protection of public interests;

VI. Subject to the approval of the governor and council, establish a manual of uniform rules and regulations providing for manifesting and accounting procedures applicable to all state departments, institutions and agencies and controlling the capital budget and all other items. Such rules and regulations shall be revised from time to time and when issued and approved shall be binding upon all officers and employees of the state;

VII. Pre-audit and certify for payment all claims against the state to be presented to the governor and council

for the issuance of warrants; before such certification for payment the director of accounts shall require documentary evidence of the debt in a form sufficient to show that the agency or individuals responsible for contracting the debt (a) had the authority for so doing, (b) had knowledge of the amounts due, except that payments for payroll may be certified for one payroll period in advance, (c) possessed the authority for the approval of the invoice, and (d) in regard to payments for capital improvements had knowledge of the work actually completed;

VIII. Control all payments of moneys into the treasury;

IX. Control all payments from the treasury by the preparation of appropriate warrants for the governor and council, authorizing and directing such payments;

X. Post-audit all state revenue receipts;

XI. Audit the accounts of the treasurer; said audit shall include, but shall in no way be limited to, a post-audit of expenditures under the capital budget;

XII. Make appropriate departmental and agency budget adjustments when supplies or equipment are transferred between departments and agencies;

XIII. Make appropriate departmental and agency budget adjustments for services performed by the department of public works;

XIV. Perform such other duties as the comptroller may require of him.

### **Division of Purchase and Property**

**13. Purchase and Property.** There shall be a division of purchase and property under the executive direction of a director of purchase and property.

**14. Director of Purchase and Property.** The comptroller, subject to the approval of the governor and council, shall appoint a director of purchase and property who shall be experienced in the field of purchasing, and who shall hold office during good behavior; provided, however, that the purchasing agent heretofore appointed shall continue as director of purchase and property, subject to all the provisions hereof.



**15. Removal.** The governor and council may remove the director of purchase and property only as provided in section 48 of chapter 27 of the Revised Laws, as inserted by chapter 231 of the Laws of 1947, as hereinafter amended.

**16. Salary.** The annual salary of the director of purchase and property shall be as provided in chapter 250 of the Laws of 1947, for the purchasing agent.

**17. Duties.** Subject to the direction and supervision of the comptroller, the director of purchase and property shall:

I. Organize the work of the division and appoint employees of the division in accordance with state personnel regulations, and within the limits of available appropriations and funds;

II. Purchase all materials, equipment and supplies for all departments and agencies of the state, except as otherwise specifically provided by law;

III. Formulate and make available to interested persons rules and regulations for the administration of the division, including procedure for the conduct of competitive bidding; subject, however, to the provisions of chapter 227 of the Laws of 1949;

IV. In consultation with using departments and agencies, and using available federal, state and accepted trade standards, develop standard specifications for items regularly purchased;

V. Inspect and test deliveries for compliance with purchase orders;

VI. Maintain and operate such central storage facilities as may be practical;

VII. Have custody of all state-owned real and personal property not specifically charged to some other department;

VIII. Charge property and equipment to the using departments, as he shall deem advisable, and expressly specify the responsibility for maintenance of the same;

IX. After consultation with the board of approval as established by section 7 of part 24 hereof, purchase liability insurance under a fleet policy covering the operation of state-owned vehicles, and such other insurance and surety bonds as

any state department, agency or official may now or hereafter be legally authorized to secure, or required to furnish;

X. Discharge such other responsibilities as may be imposed upon him or upon the purchasing agent by law;

XI. Install and maintain perpetual inventory records of plant and equipment;

XII. Transfer unused supplies and equipment from one department or agency to another where needed, and determine the value thereof;

XIII. Perform such other duties as the comptroller may require of him.

### **Business and Farm Supervisors**

**18. Business Supervisor of Institutions.** Subject to the approval of the governor and council, and after consultation with the chairman of the governing board of each institution within the department of hospitals and the department of corrections, the comptroller shall appoint a business supervisor of said institutions, who shall be familiar with institutional business practices and procedures, and who shall hold office during good behavior.

**19. Removal.** The business supervisor may be removed by the comptroller, subject to approval by the governor and council.

**20. Salary.** The annual salary of the business supervisor shall be five thousand dollars minimum, five thousand five hundred dollars maximum; the business supervisor shall start at the minimum salary and each year thereafter shall be entitled to an increase of one hundred dollars, but in no case shall the total salary exceed the maximum established in this section.

**21. Duties.** Subject to the direction and supervision of the comptroller, the business supervisor shall: (1) advise with the respective superintendents and trustees of institutions in relation to establishment, supervision, and maintenance of uniform and efficient business records, business practices, and business management at each of the institutions within the department of hospitals and department of corrections; (2) advise with the respective superintendents and trustees of institutions in relation to all business problems of said insti-

tutions; (3) perform such other duties as the comptroller may require of him.

**22. Farm Supervisor.** Subject to the approval of the governor and council, and after consultation with the commissioner of agriculture and the agricultural advisory board, the business supervisor shall appoint a farm supervisor, who shall be experienced in farm management, and who shall hold office during good behavior.

**23. Removal.** The farm supervisor may be removed by the business supervisor, subject to approval by the governor and council.

**24. Salary.** The annual salary of the farm supervisor shall be four thousand five hundred dollars minimum, five thousand dollars maximum; the farm supervisor shall start at the minimum salary and each year thereafter shall be entitled to an increase of one hundred dollars, but in no case shall the total salary exceed the maximum established in this section.

**25. Duties.** Subject to the direction and supervision of the business supervisor and subject to the therapeutic and rehabilitative needs of the patients of the respective institutions, as determined by the sole discretion and judgment of the respective executive heads and boards of trustees of said institutions, the farm supervisor shall: (1) advise with the respective superintendents and trustees of institutions in relation to establishment, supervision, and maintenance of uniform and efficient farm records, farm practices and farm management at each of the institution farms within the department of hospitals and department of corrections, and in relation to all farm problems of said institutions; (2) perform all such other duties as the business supervisor may require of him.

**2. Repeal.** Section 13 of chapter 23 of the Revised Laws, as amended by section 5 of chapter 39 of the Laws of 1943; section 14 of chapter 23 of the Revised Laws, as amended by chapter 77 of the Laws of 1943, and sections 1, 2 and 3 of chapter 14-A of the Revised Laws, as inserted by chapter 21 of the Laws of 1943, are hereby repealed, and all other acts and parts of acts inconsistent herewith, are repealed to the extent of such inconsistency.

## Part 7

### Superintendent of Buildings and Grounds; Transfer and Abolition

1. **Custody of State Property.** The functions of the governor and council as custodians of the state house, state house annex, state library, and grounds connected with each, as provided in section 1 of chapter 12 of the Revised Laws are hereby transferred to the division of purchase and property.

2. **Transfer.** All the functions, powers, duties, records, property and personnel of the superintendent of state buildings and grounds as provided in sections 5, 7, 8, 9, 10, 11 of chapter 12 of the Revised Laws, and as otherwise provided, insofar as any of them apply to, or are used in connection with, the property enumerated in section 1 are hereby transferred to the division of purchase and property.

3. **Transfer of Unexpended Appropriation.** All unexpended funds and appropriations for the use of the superintendent of state buildings and grounds allocated to be used in connection with the property enumerated in section 1, for the fiscal year ending June 30, 1951, are hereby transferred to the division of purchase and property, to be used only for the purposes for which they could have been legally used heretofore.

4. **Abolition of Superintendent.** The office of superintendent of state buildings and grounds, as provided in section 2 of chapter 12 of the Revised Laws, and the positions of assistant superintendent and assistants, as provided in section 6 of chapter 12 of the Revised Laws, are hereby abolished.

5. **Rooms.** Amend section 12 of chapter 12 of the Revised Laws by striking out all after the word "departments" in the second line thereof, so that said section as amended shall read as follows: 12. **Assignment of Rooms.** The governor and council shall assign rooms to the different departments.

6. **Repeal.** Sections 2, 3, and 4 of chapter 12 of the Revised Laws, and the requirement of approval by governor and council in sections 7 and 10 of said chapter, are hereby repealed, and all other acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

## Part 8

### Tax Commission

1. **Secretary.** Amend section 7 of chapter 82 of the Revised Laws by striking out said section and inserting in place thereof the following: **7. Duties of Secretary.** The secretary or the chief clerk shall be in attendance at the office of the commission during regular office hours daily. Under the direction and advice of the tax commission, the secretary shall be charged with the administrative functions of the commission and its divisions. Subject to its approval he may delegate such duties to the directors of the several divisions as shall in the discretion of the commission appear to be desirable and practicable.

2. **Space.** Amend section 8 of chapter 82 of the Revised Laws by inserting after the words "in the state house" the words, or in the annex, so that said section shall read as follows: **8. Office.** The commission shall be provided with an office in the state house, or in the annex, in which its records, documents and books shall be kept.

3. **Personnel.** Amend section 10 of chapter 82 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Assistants.** They may appoint such assistants as may be necessary subject to the state personnel regulations, and within the limits of available appropriations and funds.

### Division of Tobacco Products

4. **Division Established; Director.** Amend chapter 79 of the Revised Laws by inserting after section 17, as amended, the following new section: **17-a. Division of Tobacco Products.** There shall be within the tax commission a division of tobacco products. The commission shall appoint a director and such other assistants as may be necessary subject to state personnel regulations, and within the limits of available appropriations and funds. Before entering upon his duties the director shall execute and file with the secretary of state a bond to the state in such amount and with such sureties as may be deemed sufficient by the board of approval in the same manner as bonds for state officials.

5. **Administration of Tax.** Further amend said chapter 79 by striking out section 18 and inserting in place thereof the following: **18. Administration of Chapter.** The administration of this chapter and all duties assigned hereunder to the tax commission may be performed by the director of the division of tobacco products subject to the supervision of the commission and to that end, he shall prescribe all necessary forms and rules and regulations not inconsistent with this chapter to carry into effect the provisions hereof. Subject to the approval of the commission, the director may use the powers vested in it by chapter 82 relating to the attendance of witnesses and the conduct of investigations, in the administration of this chapter.

### **Division of Interest and Dividends**

6. **Division Established; Director.** Amend chapter 78 of the Revised Laws by striking out section 31 and inserting in place thereof the following: **31. Division of Interest and Dividends.** There shall be within the tax commission a division of interest and dividends. The commission shall appoint a director and such other assistants as may be necessary subject to state personnel regulations, and within the limits of available appropriations and funds. Before entering upon his duties the director shall execute and file with the secretary of state a bond to the state in such amount and with such sureties as may be deemed sufficient by the board of approval in the same manner as bonds for state officials. Subject to the approval of the governor and council, the division may incur necessary expenses in the administration of this chapter and the governor is hereby authorized to draw his warrant therefor.

### **Transfer of Collection of Income Taxes**

7. **Transfer.** All the functions, powers and duties of the state treasurer which relate to the collection of taxes on interest and dividends as provided by chapter 78 of the Revised Laws and as otherwise provided are hereby transferred to the state tax commission, and all the records and property of the state treasurer relating to said taxes are hereby transferred to the division of interest and dividends. The governor, after consultation with the state treasurer and the tax commission,

may transfer such personnel from the office of the state treasurer to the division of interest and dividends as the governor may deem in the best interest of the state and necessary to carry out the purposes hereof.

**8. Appropriations.** All unexpended appropriations and funds made available to the state treasurer for personal services and other expenses relating to the collection of taxes on interest and dividends are hereby transferred to the state tax commission to be used only for the purposes for which they could have been legally used heretofore.

**9. Treasurer's Authority.** Further amend said chapter 78 by striking out section 19 and inserting in place thereof the following: **19. Inspection.** Returns shall not be open to the inspection of any person except the commission and their deputies, assistants and clerks when acting under their authority; provided, that a properly authorized representative of the federal internal revenue bureau may inspect such returns if reciprocal inspection of New Hampshire returns in that bureau is permitted to the tax commission or their representatives.

**10. Administration of Tax.** Further amend said chapter 78 by striking out section 22 and inserting in place thereof the following: **22. Administration.** The administration of this chapter and all powers, duties, and functions assigned hereunder to the tax commission except the power to abate as conferred upon the commission by sections 26, 27 and 33, may be performed by the director of the division of interest and dividends subject to the supervision of the state tax commission except as otherwise hereinafter specifically provided, and subject to its approval he shall have the power to require the production of books, affidavits, papers and documents of all kinds and the appearance of any person, in the state, to determine the amount of any tax or determine whether any tax has been evaded or any return falsified, in addition to the powers otherwise conferred upon him by delegation of the commission.

**11. Payment.** Further amend said chapter 78 by striking out section 25 and inserting the following new section: **25. To Whom Payable.** All taxes assessed hereunder shall be paid to the state tax commission by the taxpayer.

**12. Payment to Towns, etc.** Further amend said chapter 78 by striking out section 32 and inserting the following new section: **32. Distribution.** The state tax commission shall determine the expense of administration for the year in which the tax is assessed and shall certify to the state treasurer the amounts of the remaining balance of the tax, after the expenses of administration have been deducted, to be distributed on December 31 of that year to the respective towns and cities where the owner of the taxable income resides, and where the owner resides in an unorganized place, to the treasurer of the county in which such place is situated. Provided, however, that any interest and penalties collected thereon may be retained by the state and applied to the expense of administration.

### Self-assessment of Income Taxes

**13. Returns; Change of Date.** Amend section 18 of chapter 78 of the Revised Laws, as amended by chapter 139, Laws of 1947, by striking out the said section and inserting in place thereof the following: **18. Returns.** Returns of taxable income shall be made to the tax commission on or before May first in each year, in such form as they may prescribe, but the commission may extend such time for good cause. Returns as required by this chapter shall be made under penalties of perjury.

**14. Assessment.** Further amend said chapter 78 by striking out section 23 and inserting in place thereof the following: **23. Payment; Interest.** All taxes shall be assessed as of January first, in each year, and payment thereof shall be made at the time the return is filed on or before May first. If taxes are not paid on or before May fifteenth, interest at ten per cent from the said May first shall be added, and the said May first shall be deemed to be the due date for all taxes assessed and collected under this chapter. Provided, however, that when an extension of time has been granted under the provisions of section 18, the date specified in the said extension shall be deemed to be the due date, and interest at the rate of ten per cent shall be added if payment is not made within fifteen days after that date.

**15. Review.** Further amend said chapter 78 by inserting after section 25 the following new section: **25-a. Re-**



**assessment by Director.** If upon examination of the returns and assessment made therein, it shall appear that the amount of the tax exceeds the correct amount due, or is deficient, the director of the division of interest and dividends shall reassess the amount of the tax and notify the taxpayer of such corrections. In the event that the director determines a deficiency, the amount of said deficiency and interest at the rate of ten per cent from the original due date shall be forwarded by the taxpayer to the director within fifteen days from the date of the notice herein provided. In the event the reassessment results in a determination of overpayment, the amount of the excess shall be repaid to the taxpayer in the manner provided by section 28 of this chapter. All assessments made under this section by the director shall not be subject to the supervision of the state tax commission, and shall be subject to the same right of abatement and appeal as provided in sections 26 and 27, and nothing herein contained shall be construed to limit the power of the commission to make a later assessment under section 29 or to seek a penalty for fraudulent returns as provided by section 34.

### **Transfer of Collection of Railroad and Utility Taxes**

**16. Transfer.** Except as otherwise specified herein, the functions, powers and duties of the state treasurer relating to the collection of taxes on railroads and utilities as provided by chapter 83 of the Revised Laws, or as may be otherwise provided are hereby transferred to the state tax commission and all records and property of the state treasurer relating to said taxes are hereby transferred to the division of interest and dividends in the state tax commission. The governor, after consultation with the state treasurer and the tax commission, may transfer such personnel from the office of state treasurer to the division of interest and dividends as the governor may deem in the best interest of the state and necessary to carry out the purposes hereof.

**17. Filing of Decision.** Amend section 15 of chapter 83 of the Revised Laws by striking out the words "state treasurer" in the second line and inserting in place thereof the words, director of the division of interest and dividends, so that said section as amended shall read: **15. Certificates of Tax.** The tax commission, prior to September thirtieth in

each year, shall file with the director of the division of interest and dividends certificates of their decisions.

**18. Notice of Rehearing.** Amend section 16 of chapter 83 by striking out the words "state treasurer" in the fifth line and inserting in place thereof the words, director of the division of interest and dividends, so that said section as amended shall read: **16. Rehearing.** The state, or any such corporation or company, may at any time within thirty days from the filing of the decision move for a rehearing. The tax commission may, for cause shown, allow the motion, and shall have authority to give further hearing and increase or abate the tax as justice may require. Notice shall be given the director of the division of interest and dividends of the order or decision made upon such a motion.

**19. Notices; Director's Duty.** Amend said chapter 83 by striking out section 19 and inserting in place thereof the following: **19. Notice of Tax; Payment.** Upon receipt of said certificates of decisions, the director of the division of interest and dividends shall notify the parties against whom taxes have been assessed, and such taxes shall be paid to the state tax commission on or before October fifteenth of the same year.

**20. Credits and Charges.** Amend section 21 of said chapter 83 by striking out the words "state treasurer" in the second line and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **21. Final Adjustment.** If upon such proceedings a decision for the reduction of any tax shall be rendered, the state tax commission shall credit and allow such reduction upon any tax assessed against the party entitled to the same, and payable after the rendition of such decision. If upon such proceedings it shall appear that the tax against any such corporation or company was too small, the difference shall be paid by the corporation or company concerned as of the date of the decision.

**21. Use of Extents.** Amend section 23 of chapter 83 of the Revised Laws by inserting at the beginning thereof the words, upon written request of the state tax commission, so that said section as amended shall read: **23. Extents.** Upon written request of the state tax commission, the state treas-

urer shall issue his extent for the sum unpaid and interest against the company or corporation in default; and all the property owned by such company or corporation on April first preceding shall be liable for the payment thereof.

**22. Certification of Apportionment.** Further amend said chapter 83 by striking out section 33 and inserting in place thereof the following: **33. Apportionment.** The state tax commission shall seasonably apportion all railroad taxes received by it in each year, and shall certify such apportionment to the state treasurer for distribution in the following manner:

I. To the towns in which any railroad is located, one fourth of the tax paid by the railroad corporation, of which each town shall receive its proportion according to the share of the capital of the corporation expended therein for its buildings and right of way.

II. To each town in the state in which any stock in the corporation was owned on April first preceding, such proportion of the residue of the tax as the number of shares owned in said town bears to the whole number of shares in the corporation. No apportionment of said railroad taxes shall be made to a town on account of shares of stock held therein by banks, trustees, treasurers of societies or corporations, or by any person, society or corporation holding such shares in a fiduciary capacity; and the tax commission, or other proper authority, in fixing the equalized valuation for the purpose of assessing state and county taxes, shall exclude such stock.

III. The remainder for the use of the state.

**23. Report of Capital Expended.** Further amend said chapter 83 by striking out section 34 and inserting in place thereof the following: **34. Directors' Return.** The directors of each railroad corporation shall, on July first in the year 1942 and in every fifth year thereafter, make a return, under oath, to the state tax commission showing the share of the capital of the corporation expended in each town for buildings and right of way; and the commission shall certify the apportionment for payment by the state treasurer based upon such expenditures from such returns.

**24. Stock Invoice; Transmittal.** Amend section 36 of said chapter 83 by striking out the words "state treasurer" in the third line and inserting in place thereof the words, state

tax commission, so that said section as amended shall read:

**36. Neglect of Selectmen.** If the selectmen of any town shall neglect to take an invoice of the shares of railroad corporations in this state owned by the inhabitants of the town, and to transmit to the state tax commission a statement thereof, under oath, as required by chapter 75, section 2, such town shall receive no part of the railroad taxes.

**25. Determination of Conflicts.** Amend section 37 of said chapter 83 by striking out the words "state treasurer" in the third line and inserting in place thereof the words, state tax commission, so that as amended said section shall read:

**37. Conflicting Returns.** If the returns of shares in railroad corporations made by their treasurers and those made by selectmen, as required by law, disagree, the state tax commission shall determine upon the evidence to what town the shares in relation to which there is disagreement shall be credited.

**26. Invoice.** Amend section 2 of chapter 75 of the Revised Laws by striking out the words "state treasurer" in the third line and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **2. Railroad Stock.** They shall annually take an invoice of the shares of stock of each railroad corporation of the state owned by inhabitants of their town on April first, and shall transmit to the state tax commission on or before June first, a statement under oath, showing the number of shares of each corporation thus owned, the names of such stockholders, the number of shares owned by each in each corporation, and that such stockholders were inhabitants of the town on April first. If they shall neglect to comply with the foregoing provisions they shall be liable to the town for all damages resulting to it from their default.

**27. Stockholders.** Amend section 19 of chapter 297 of the Revised Laws by striking out the words "state treasurer" in the second line and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **19. List of Stockholders.** The treasurer of every railroad corporation, any part of whose road is in this state, shall transmit to the state tax commission, on or before June first in each year, a list of the stockholders of the corporation residing in each town of the state on April first preceding,

giving the number of shares owned by each, with a certificate, under oath, that the list is correct. Every treasurer who neglects to comply with the provisions of this section shall forfeit one hundred dollars.

**28. Appropriations.** Any unexpended appropriations and funds to the extent that they are available to the state treasurer for personal services and other expenses relating to the collection of the tax on railroads and utilities are hereby transferred to the state tax commission to be used only for the purposes for which they could have been legally used heretofore.

### **Transfer of Collection of Franchise Tax**

**29. Transfer.** Except as otherwise specified herein, the functions, powers and duties of the state treasurer relating to the collection of franchise taxes as provided by chapter 84 of the Revised Laws, or as may be otherwise provided, are hereby transferred to the state tax commission and all records and property of the state treasurer relating to said taxes are hereby transferred to the division of interest and dividends. The governor, after consultation with the state treasurer and the tax commission, may transfer such personnel from the office of the state treasurer to the division of interest and dividends as the governor may deem in the best interest of the state and necessary to carry out the purpose hereof.

**30. Appropriations.** Any unexpended appropriations and funds to the extent that they are available to the state treasurer for personal services and other expenses relating to the franchise tax are hereby transferred to the state tax commission to be used only for the purposes for which they could have been legally used heretofore.

**31. Filing of Decisions.** Amend section 8 of chapter 84 of the Revised Laws by striking out the words "state treasurer" in the second line and inserting in place thereof the words, director of the division of interest and dividends, so that said section as amended shall read: **8. Certificates of Tax.** The tax commission, prior to September thirtieth in each year, shall file with the director of the division of interest and dividends certificates of their decisions.

**32. Notice of Rehearing.** Amend section 9 of said chapter 84 by striking out the words "state treasurer" in the fifth line and inserting in place thereof the words, director of the division of interest and dividends, so that said section as amended shall read: **9. Rehearing.** The state, or any such utility, may at any time within thirty days from the filing of the decision move for a rehearing. The tax commission may, for cause shown, allow the motion, and shall have authority to give further hearing and increase or abate the tax as justice may require. Notice shall be given the director of the division of interest and dividends of the order or decision made upon such a motion.

**33. Notices; Director's Duty.** Further amend said chapter 84 by striking out section 11 and inserting in place thereof the following: **11. Notice of Tax; Payment.** Upon receipt of said certificates of decisions, the director of the division of interest and dividends shall notify the parties against whom taxes have been assessed, and such taxes shall be paid to the state tax commission on or before October fifteenth of the same year.

**34. Credits and Charges.** Amend section 13 of said chapter 84 by striking out the words "state treasurer" in the second line and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **13. Final Adjustment.** If upon such proceedings a decision for the reduction of any tax shall be rendered, the state tax commission shall credit and allow such reduction, with interest upon any sum actually paid thereon, upon any tax assessed against the party entitled to the same, and payable after the rendition of such decision. If upon such proceedings it shall appear that the tax against any such utility was too small, the difference shall be paid by the utility concerned as of the date of the decision.

**35. Use of Extents.** Amend section 15 of said chapter 84 by inserting at the beginning thereof the words, upon written request of the state tax commission, so that said section as amended shall read: **15. Extents.** Upon the written request of the state tax commission the state treasurer shall issue his extent for the sum unpaid and interest against the utility in default; and all the property owned by such utility on April first preceding shall be liable for the payment thereof.

### **Transfer of Collection of Taxes on Savings Banks and Building and Loan Associations (Co-operative Banks)**

**36. Transfer.** Except as otherwise specified herein, the functions, powers and duties of the state treasurer relating to taxes on savings banks, building and loan associations, co-operative banks and other similar corporations as provided by chapter 85 of the Revised Laws, or as may be otherwise provided, are hereby transferred to the state tax commission and all the records and property of the state treasurer relating to said taxes are hereby transferred to the division of interest and dividends in the state tax commission. The governor, after consultation with the state treasurer and the tax commission, may transfer such personnel from the office of the state treasurer to the division of interest and dividends as the governor may deem in the best interest of the state and necessary to carry out the purposes hereof.

**37. Appropriations.** Any unexpended appropriations and funds to the extent that they are available to the state treasurer for personal services and other expenses relating to the taxes on savings banks, building and loan associations, co-operative banks, and other similar corporations are hereby transferred to the state tax commission to be used only for the purposes for which they could have been legally used heretofore.

**38. Returns.** Amend section 8 of chapter 85 of the Revised Laws by striking out the words "transmit to the state treasurer upon blanks furnished by him" in lines four and five and inserting in place thereof the words, transmit to the state tax commission, upon blanks to be furnished by said commission, so that said section as amended shall read as follows: **8. Statement of Treasurer.** The treasurer of every savings bank, trust company, loan and trust company, loan and banking company, building and loan association, and other similar corporations organized under the laws of this state shall, on or before May first in each year, transmit to the state tax commission, upon blanks to be furnished by said commission, a statement, under oath, of the following facts as they existed on April first in such years: The amount of all savings and special deposits on which the corporation pays interest and of its capital stock belonging to residents of each town in the state,

including all dividends that have been declared thereon and not paid; the value of the interest of such residents in all the property and holdings of the bank described in the following section, if it were divided proportionately among all depositors of the corporation; the difference between the two sums for each town; and the same facts in relation to depositors and stockholders who do not reside in the state or whose residence is unknown.

**39. Payment.** Amend section 9 of chapter 85 of the Revised Laws by striking out the words "state treasurer" in the third line and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **9. Tax and Deductions.** Every such corporation, except building and loan associations, organized under the laws of this state, and credit unions organized under chapter 315, shall pay to the state tax commission annually, on October first, an excise tax for the privilege of conducting the business of a savings bank or other such corporation, equal in amount to twelve twenty-fourths of one per cent upon the amount of the savings deposits on which it pays interest, after deducting the value of all its real estate wherever situated and the value of all its loans secured by mortgage upon real estate situated in this state made at a rate not exceeding five per cent per annum; and the amount invested in bonds and notes of this state or any of the counties, municipalities, school districts, or village precincts of this state; provided, that such bonds and notes bear interest at a rate not exceeding five per cent per annum; and the amount invested in United States bonds, and in bonds, notes, or debentures the principal or interest of which is guaranteed by the United States, and in bonds issued under the provisions of the Federal Farm Loan Act, and the amount not exceeding five per cent of the deposits invested in acceptances of member banks of the federal reserve system of the kinds and maturities made eligible for rediscount or purchase by federal reserve banks, and the amount invested in the capital stock of national banks located in this state.

**40. Computation.** Amend said chapter 85 by striking out section 12 and inserting in place thereof the following: **12. Determination of Tax; Notice.** The amount of the taxes provided for in this and the following subdivisions shall be determined by the state tax commission which shall notify the



party from whom the tax is due of the amount thereof before July first.

**41. Instructions as to Distribution.** Further amend said chapter 85 by striking out section 13 and inserting in place thereof the following: **13. Distribution.** The state tax commission shall certify to the state treasurer, on or before February first after the taxes have been received, the amount to be paid to each town in the state in which depositors or stockholders of any such corporation reside the taxes so assessed upon the deposits and stock of residents of such town.

**42. Shares.** Further amend said chapter 85 by striking out section 14 and inserting in place thereof the following:

**14. Building and Loan Associations.** Every building and loan association or co-operative bank organized under the laws of this state shall pay to the state tax commission annually, on October first, a tax of three quarters of one per cent upon the declared maturing value of its shares, and the face value of its paid up certificates, in force on April first next preceding, after deducting such exemptions as are allowed to savings banks.

**43. Interest Rates.** Further amend said chapter 85 by inserting after the word "association" in the second line of section 15 the words, or by co-operative banks, so that said section as amended shall read: **15. Premiums.** The premiums and fines by building and loan associations or by co-operative banks from their members shall not be considered as interest, and the deduction of the premium from the amount loaned shall not be construed as increasing the rate of interest paid by the borrower.

**44. Director's Instructions.** Further amend chapter 85 by striking out section 16 and inserting in place thereof the following: **16. Distribution.** The state tax commission shall certify to the state treasurer, on or before February first after the taxes have been received, the amount to be paid to the treasurer of the town or city where said association is located.

**45. Collection by Extent.** Further amend said chapter 85 by inserting at the beginning of section 20 the words, upon written request of the state tax commission, so that said section as amended shall read: **20. Extent.** Upon written

request of the state tax commission, the state treasurer shall issue his extent, against any such corporation which fails to pay its taxes when due, for the sum unpaid and interest; and all property owned by the corporation on April first preceding shall be holden for the payment thereof.

**46. Disposition of Tax-money.** Further amend said chapter 85 by striking out section 21 and inserting in place thereof the following: **21. Use of Tax-money.** All taxes received by the state tax commission under the provisions of this chapter shall be paid into the state treasury in the manner prescribed by law and the state treasurer may use such taxes, while they remain in the treasury, for the payment of ordinary state charges.

**47. Repayment of an Abatement.** Further amend said chapter 85 by striking out the words "state treasurer" in the third line of section 24 and inserting in place thereof the words, state tax commission, so that said section as amended shall read: **24. Reimbursement.** Any such corporation, securing an abatement of taxes as herein provided, may deduct the amount of the tax so abated from any subsequent tax payable to the state tax commission, for which it may be liable; or, if said tax has been paid and the corporation has ceased to do business, the court shall report such abatement to the governor and council, and the governor is authorized to draw his warrant upon the treasurer therefor.

### **Division of Municipal Accounting**

**48. Division Continued; Assistants.** Amend section 23 of chapter 82 of the Revised Laws by striking out said section and inserting in place thereof the following: **23. Division of Municipal Accounting.** There shall be within the tax commission a division of municipal accounting. The commission shall appoint a director and such assistants as may be necessary subject to the state personnel regulations, and within the limits of available appropriations and funds.

### **Division of Inheritance Taxes**

**49. Administration.** Amend the Revised Laws by inserting after chapter 86 the following new chapter:

#### **86-A**

### **Administration of Inheritance Taxes**

**1. Division of Inheritance Taxes.** There shall be within the tax commission a division of inheritance taxes. The commission shall appoint a director and such other assistants as may be necessary in accordance with the state personnel regulations, and within the limits of available appropriations and funds. Before entering upon his duties the director shall execute and file with the secretary of state a bond to the state in such amount and with such sureties as may be deemed sufficient by the board of approval in the same manner as bonds for state officials.

**2. Transfer of Personnel and Functions.** Personnel in the office of the attorney-general heretofore assigned to aid the assistant attorney-general in the administration of the so-called inheritance taxes and all the records and property of the assistant attorney-general and the state treasurer relating to the assessment and collection of said taxes, as heretofore provided by chapters 87, 88 and 89 of the Revised Laws, as amended, and as further provided by chapter 88-A, as inserted by chapter 175 of the Laws of 1943, as amended, and by chapter 89-A, as inserted by chapter 21 of the Laws of 1949, or as may be otherwise provided, are hereby transferred to the division of inheritance taxes hereinbefore established; and all the functions, powers and duties of the assistant attorney-general and the state treasurer relating to said taxes are hereby consolidated and transferred to the state tax commission; provided, however, that whenever it is required under the laws hereinbefore enumerated that the treasurer shall make payments in the administration of said taxes, said payments shall continue to be made by the said treasurer but after certification of the director of the division of inheritance taxes.

**3. Transfer of Appropriations.** Any unexpended appropriations and funds to the extent that they are available to the office of the attorney-general for the fiscal year ending June 30, 1951 for personal services and other expenses in the administration of the foregoing taxes are hereby transferred

to the state tax commission to be used only for the purposes for which they could have been legally used heretofore.

## **Part 9**

### **Public Works and Highways**

**1. Department Established; Duties, etc.** Amend the Revised Laws by inserting after chapter 90, as inserted by chapter 188 of the Laws of 1945, and amendments thereto the following new chapter:

#### **Chapter 90-A**

##### **Department of Public Works and Highways**

**1. Definitions.** As used in this chapter the following words and terms shall have the following meanings unless a contrary meaning shall appear in the context:

I. "Contract construction" shall mean all construction performed in whole or in part by an independent contractor;

II. "Department" shall mean the department of public works and highways hereinafter established;

III. "Project" shall mean any construction, reconstruction, alteration or maintenance in any building, plant, fixture, or facility;

IV. "Using agency or institution" shall mean any executive department, commission, independent establishment, public corporation which is an instrumentality of a state board, bureau, division, institution, service, office, officer, authority, administration or other establishment in the executive branch of the government, which will have the control of the property after the work is completed.

**2. Department Established.** There shall be a department of public works and highways under the executive direction of a commissioner of public works and highways. Said department shall consist of a division of engineering comprised of a section on highways and a section on public works, a division of business and administration, and a division of planning.

**3. Transfer and Abolition.** All functions, powers, duties, records, property and personnel of the highway department, as provided in chapter 90 of the Revised Laws, as in-

serted by chapter 188 of the Laws of 1945, as amended, and as otherwise provided, are hereby transferred to the section on highways in the division of engineering; and all the functions, powers, duties, records, property and personnel of the state housing board, as provided in chapter 169 of the Revised Laws, as amended by chapters 169 and 286 of the Laws of 1947, and amendments thereto, are hereby transferred to the section on public works in the division of engineering; all such functions, powers and duties shall be exercised and all existing contractual obligations of the highway department and the state housing board shall be assumed by the commissioner or his deputy. The said highway department and said housing board are hereby abolished as separate agencies of the state government.

**4. Performance of Functions.** Any functions of the commissioner of public works and highways may from time to time be performed by such officer, employee or administrative unit under his jurisdiction as he shall deem appropriate.

**5. Commissioner.** The governor, with the advice and consent of the council, shall appoint a commissioner of public works and highways who shall be specially qualified to perform the duties of his office. He shall hold office for a term of five years from the date of his appointment, and until his successor is appointed and qualified, and a vacancy in such office shall be filled for the unexpired term. The commissioner shall exercise the powers of the department, organize its work and serve as its executive head, subject to the provisions of this act or of any other law.

**6. Deputy Commissioner; Assistant Commissioner.** Subject to the approval of the governor and council, the commissioner shall appoint a deputy commissioner, who shall also serve as chief engineer, and an assistant commissioner in charge of business administration, both of whom shall be specially qualified by previous experience to perform all duties as may be assigned to them and shall serve during good behavior. The division of planning shall be administered by the commissioner of public works and highways.

**7. Removal.** The commissioner may be removed by the governor and council only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of

the Laws of 1947, as hereafter amended. The deputy commissioner, and assistant commissioner may be removed by the commissioner subject to the approval of the governor and council.

**8. Salaries.** The annual salaries of the commissioner, deputy commissioner, and assistant commissioner shall be determined by the governor and council.

**9. Repeal.** Section 2 of part 10 of chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, and sections 4, 5, 5-a, 5-b and 5-c of said part 10, as amended, and inserted by chapter 250 of the Laws of 1949, and all other acts inconsistent herewith, are repealed to the extent of such inconsistency.

**10. Consultant.** The consultant to the highway commissioner in office at the date of the passage of this act shall continue in office as consultant to the commissioner of public works and highways for the balance of the term of his office as provided in chapter 236 of the Laws of 1949, without change in salary.

**11. Continuance in Office.** The person heretofore appointed as highway commissioner shall serve as commissioner of public works and highways for the remainder of his present term, subject to all the provisions hereof. The assistant highway commissioner in charge of information heretofore appointed shall serve as the assistant commissioner of public works and highways in charge of business administration, and the person heretofore appointed as chief engineer of the highway department shall serve as deputy commissioner of public works and highways, subject to all the provisions hereof.

**12. Power of the Governor.** With the mutual agreement of the heads of the using agencies or institutions concerned and of the commissioner of public works and highways, the governor may transfer such other personnel from said using agencies and institutions who, by reason of their previous experience with their respective departments or training, may serve the state more efficiently by being transferred to the department herein established. The governor is further authorized to transfer to the department of public works and

highways such funds and appropriations as have heretofore or may hereafter be made available for the compensation and expenses of persons transferred under the foregoing authority.

### **13. Declaration of Policy and Limitation on Contracts.**

I. It is hereby declared to be the policy of the state that major state projects, except state aid and town road aid if not eligible for federal aid, shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for major construction of state buildings. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called.

II. No state contract construction exceeding one thousand dollars for any individual project shall be awarded to any independent contractor except under conditions of competitive bidding and as hereinafter provided. In any case under competitive bidding where for just cause shown the lowest bid submitted should be rejected, the commissioner shall transmit promptly to the governor and council a recommendation for such rejection stating his reasons therefor. The governor and council shall thereupon review such recommendation and any other facts available to them, requiring a public hearing upon request of any bidder or on their own motion to fully establish such facts, and make such determination as in their judgment shall be for the best interests of the state. Such determination shall be entered upon the records of the secretary of state. The state reserves the right to reject any and all bids or to negotiate with the lowest responsible bidder. If not more than one bid is received on any state project advertised for contract construction, the commissioner subject to the approval of the governor and council may negotiate a contract for such construction upon terms which he may deem most advantageous to the state. Provided, however, that as to projects built with federal aid, if any provision of this section is inconsistent with the requirements of applicable federal law and regulations, the latter shall control.

**14. Client Relationship.** Without limiting the generality of the foregoing, and to enable the department to maintain a client relationship with the using agencies or institutions in the construction of capital budget items, the department is authorized to:

I. Determine requirements, prepare estimates, advertise, receive bids and award contracts subject to the approval of the governor and council, and execute in the name of the state and for the using agency or institution, all contracts for projects, with the advice and assistance of the attorney-general, and after concurrence of the governor and council, comptroller and using agency or institution, in such manner and subject to such limitations as may be specified from time to time by law;

II. Supervise the execution of contract construction and provide an inspection service to determine whether contract work, including extras, complies with specifications, prior to acceptance and payment therefor. An authorized agent of the department shall give to the using agency or institution signed written statements periodically that the contract is being executed according to specifications and, at the end, that the project has been completed in accordance with the specifications. Manifests for such payments are to be made and signed by the using agency or institution that, to the best of their knowledge and belief, the progress reports furnished by the department to the using agency or institution are correct. Manifests for final payment shall certify that, to the best of my (our) knowledge and belief, inspections have been carried out, that the project has been completed in accordance with the specifications and contract and that it has been accepted.

III. Cause to be undertaken and completed, all construction exceeding one thousand dollars for any individual project, except as otherwise authorized by the governor and council;

IV. Furnish advice to the using agencies or institutions concerning plans, designs, and other technical questions, in the construction, development and structural maintenance of such facilities as the said agencies or institutions in their discretion deem necessary and suitable to the performance of their duties;



V. Except as otherwise authorized by the governor and council, cooperate with the water resources board by letting for contract and supervising all projects as herein defined on state owned dams and reservoirs, and perform such inspections as may be requested by that board, provided that the operation of facilities now or hereafter under the control of that board shall not be delegated to this department.

**15. General Powers and Duties.** The department is further authorized to:

I. Exercise general supervision over standards of operation and maintenance of state-owned buildings, (except state armories and military reservations) and fixed (plant) equipment, in the same manner as it has been exercised heretofore by the executive officers of the using agencies or institutions, and except as otherwise provided by law;

II. Provide for the maintenance of all state-owned motor vehicles on a cost-of-service basis;

III. Cooperate with the department of administration and control in long range capital planning to meet the needs of the state, as may be requested by the governor and council and subject to their approval;

IV. Operate all public works, not otherwise assigned;

V. Assist any using agency or institution of the state in the acquisition of lands for a public use, when requested;

VI. Employ such technical consultants and other assistants as may be necessary, wherever required in the best interests of the state and consistent with the policy declared in section 13;

VII. Upon request of the director of purchase and property, to inspect and test, and advise the acceptance or rejection of, all materials and supplies purchased by the division of purchase and property.

**16. Appropriations.** All unexpended funds and appropriations available to the highway department and to the state housing board for the fiscal year ending June 30, 1951 are hereby transferred and made available to the department of public works and highways to be used only for the purposes for which they could have been legally used heretofore.

**17. Accountability for Highway Funds.** All receipts, expenditures and accounts for the department of public works and highways of funds accruing to the department as successor to the highway department, or from any other source, to be expended for highway purposes, shall be accounted for on a fiscal year basis, and shall be subject to the provisions of chapter 23 of the Revised Laws, as amended. Said fiscal year shall conform to the general state practice.

**18. Bookkeeping Procedure.** The commissioner shall maintain accounts which will reflect accurately expenditures and commitments of highway funds and other funds, and which will charge the respective using agencies or institutions only for expenditures and commitments made in their accounts for their respective projects.

**19. Special Funds.** Nothing herein shall be construed to authorize or permit directly or indirectly the diversion or expenditure of any special funds, or funds provided for any particular purpose, for any other purpose, or for any purpose prohibited by constitutional or legislative limitation of this state or of the United States. Such funds shall not be commingled with any other moneys but shall be expended only for the purposes for which they were provided and shall be accounted for separately.

**20. Outside Activity Restricted.** No member of the department shall act as agent or representative, or engage in private consulting work for, or involving, any contractor, architect, engineer, firm or individual engaged, or interested in the performance of state contracts or whose business includes the manufacture or furnishing of equipment, materials or supplies to the state. No member of the department shall, acting as a private individual, solicit or engage in consulting or other engineering work for political subdivisions of the state. Violation of this section shall be cause for dismissal or other disciplinary action, subject to such appeal as may be provided by law.

## **Part 10**

### **State Board of Fire Control**

**1. Assistants.** Amend chapter 175-A of the Revised Laws as inserted by chapter 251 of the Laws of 1947, by strik-

ing out section 8 and inserting in place thereof the following section: **8. Deputies and Assistants.** The board shall fix the term of employment for a deputy fire marshal and, subject to the state personnel regulations, and within the limits of available appropriations and funds, the state fire marshal may employ a deputy, such assistants, and one clerical or secretarial assistant, as may be necessary. **8-a. Assistants; Clerical.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, the commissioner of motor vehicles shall furnish such additional clerical and secretarial assistants as may be necessary to carry out the duties and functions of the state fire marshal.

**2. Facilities.** In order to promote the effectiveness and efficiency of the state fire marshal he may use such personnel and equipment of the departments of public works, motor vehicle and state police as may be by mutual agreement provided by the heads of said agencies, including, without limiting the generalities of the foregoing, the use of radio and other communication facilities.

### **Inspection and Setting of Standards of Fire Escapes**

**3. Transfer.** Amend section 11 of chapter 176 of the Revised Laws by striking out said section and inserting in place thereof the following: **11. Standards.** The board of fire control is hereby authorized to set standards defining requirements to insure ready and safe egress in the event of fire, for factories and workshops, more than two stories in height, and to approve buildings which conform to such standards. The state board of fire control is hereby authorized to set such standards for other buildings as defined in section 9 and to approve buildings which conform thereto.

**4. Fire Escapes.** Amend section 12 of said chapter 176 by striking out said section and inserting in place thereof the following: **12. Approval.** Such fire escapes shall be subject to approval as to location by the state board of fire control, provided that nothing herein shall be deemed to deprive the commissioner of labor, factory inspectors, and other assistants of the commissioner of the power and authority conferred upon them by chapter 215.

## Part 11

### Welfare and Institutions

#### Veterans Council

**1. State Veterans Council; Location.** Amend section 2 of chapter 219-A of the Revised Laws as inserted by chapter 190 of the Laws of 1943 by striking out the words "Said council shall be provided with an office in the state house," so that said section as amended shall read as follows: **2. Compensation.** No member of the council shall receive compensation for services rendered but his necessary expenses incurred in the performance of his official duties shall be paid from the appropriation for said council.

**2. Clerical Assistants; Organization.** Amend said chapter 219-A as inserted by chapter 190, Laws of 1943, by inserting after section 1 the following new section: **1-a. Assistants; Organization.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, the department of public welfare shall furnish such clerical and secretarial assistance as may be necessary to carry out the duties and functions of the state veterans council. Said council shall continue to function as a separate organizational entity as heretofore constituted with all the powers and duties as heretofore provided except as otherwise specified herein.

**3. Transfer of Personnel.** The secretarial and clerical personnel of the state veterans council are hereby transferred to the department of public welfare with like seniority, status and pay as heretofore.

**4. Transfer of Appropriations.** All unexpended appropriations and funds made available to the state veterans council allocated to clerical and secretarial hire for the fiscal year ending June 30, 1951 are hereby transferred and made available to the department of public welfare to be used only for the purposes for which they could have been legally used heretofore.

#### Department of Corrections

**5. Supervision of State Hospitals and Institutions.** Amend section 1 of chapter 14 of the Revised Laws by striking out said section and inserting in place thereof the following:

**1. Governor and Council; Boards of Control.** The ultimate authority over the state hospital, the Laconia state school, the industrial school, the state sanatorium and the state prison, including all real and personal estate used in connection therewith, the purchase of materials and supplies for said institutions and the departments of the state, as hereinafter provided, is vested in the governor and council. The general supervision of the industrial school and the state prison is vested in the board of control of the department of corrections and the general supervision of the state hospital, the children's study home, the Laconia state school, the state sanatorium, and the soldiers' home is vested in the board of control of the department of hospitals as said boards are hereinafter established.

**6. Department of Corrections.** There shall be a department of corrections which shall consist of the state prison including the board of parole, the industrial school including the board of parole, and the probation department.

**7. Board of Control; Corrections.** There shall be a board of control in the department of corrections which shall consist of one of the appointed members of the board of trustees of the state prison and parole to be chosen by said appointed members, one of the appointed members of the board of trustees of the industrial school and parole to be chosen by said appointed members, and one of the board of probation to be chosen by said board.

**8. Duties and Powers of Board of Control and Trustees; Corrections.** The board of control of the department of corrections shall meet at least quarterly to discuss and determine matters of common departmental policy so that each shall function as an integrated part of the whole department. Decisions by said board shall be the governing policy respecting procedures of each department or institution affected. The boards of trustees of the state prison and parole, and industrial school and parole, shall each appoint the executive of its department or institution subject to the approval of the governor and council, and the board of probation shall appoint its director, and each board shall be responsible to the board of control for efficient and economical management of the institution and the proper care and treatment of persons in their charge; said boards of trustees and probation shall each

exercise supervisory and policy-making control of all aspects of their respective custodial, rehabilitative and professional functions and duties.

### **Department of Hospitals**

**9. Department of Hospitals.** There shall be a department of hospitals which shall consist of the New Hampshire state hospital, the children's study home, the Laconia state school, the soldiers' home, and the New Hampshire state sanatorium.

**10. Board of Control; Hospitals.** There shall be a board of control of the department of hospitals which shall consist of one of the appointed members of the board of trustees of the New Hampshire state hospital (being the commission of mental health) to be chosen by said appointed members, one of the appointed members of the board of trustees of the Laconia state school to be chosen by said appointed members, one of the designated members of the trustees of the New Hampshire state sanatorium, to be chosen by said designated members, and one of the members of the board of managers of the soldiers' home to be chosen by the board.

**11. Duties and Powers of Board of Control and Trustees; Hospitals.** The board of control of the department of hospitals shall meet at least quarterly to determine and discuss matters of common departmental policy so that each shall function as an integrated part of the whole department. Decisions by said board shall be the governing policy respecting procedures of each department or institution affected. The boards of trustees of the New Hampshire state hospital, Laconia state school, the New Hampshire state sanatorium and the board of managers of the soldiers' home shall each continue to appoint the executive of its institution in the same manner as heretofore provided, but each of said boards shall be responsible to the board of control for efficient and economical management of the institution, and the proper care and treatment of persons in their charge; said boards of trustees shall each exercise supervisory and policy-making control of all aspects of their respective custodial, therapeutic and professional functions and duties.

**12. Inter-departmental Committee on Welfare and Institutions.** There shall be an inter-departmental committee on

welfare and institutions which shall consist of the commissioner of public welfare, the warden of the state prison, the state parole officer, the superintendent of the industrial school, the director of probation, the superintendent of the state hospital, the director of the mental hygiene clinics, the superintendent of the Laconia state school, the commandant of the soldiers' home, and the superintendent of the New Hampshire state sanatorium.

**13. Powers and Duties of Inter-departmental Committee on Welfare and Institutions.** The inter-departmental committee on welfare and institutions shall meet monthly and shall consider problems common to the agencies represented on the committee; it shall advise the respective administering boards on such problems and shall make recommendations as to desirable legislation affecting the agencies.

**14. Repeal.** Section 3 of chapter 14 of the Revised Laws is hereby repealed.

## **Part 12**

### **Resources and Development**

**1. Advisory Council.** Amend the Revised Laws by inserting after chapter 249 the following new chapter:

#### **Chapter 249-A**

##### **Council on Resources and Development**

**1. Council Established.** There shall be a council on resources and development consisting of delegates from each of the following state agencies chosen in the manner hereinafter provided: Fish and game commission, planning and development commission, New Hampshire water pollution commission, forestry and recreation commission, and New Hampshire water resources board. Each delegate shall hold office as a member of the council until the end of the term for which he was appointed to his respective agency. They shall serve without compensation but may be reimbursed for their reasonable expenses incurred in the performance of their duties.

**2. Chairman.** The chairmanship of the council shall be rotated at each meeting among its members. The intention of this section is to give equal representation to each of the

agencies of the state represented on the council, and no delegate shall act as chairman for two successive meetings.

**3. Duties of the Council.** The council shall meet at least once every quarter to advise and consult upon common problems in the field of natural resources and their development; to make such reports and recommendations as may be desirable to the governor and council; and, subject to approval of the board or commissions of the agencies affected, to make such studies and recommendations upon its own initiative, or upon request, to the general court concerning such changes as it may deem advisable to effectively coordinate the work of the agencies enumerated in section 1. Its decisions shall be advisory only.

**4. Delegates Chosen.** The planning and development commission, established under section 40 of chapter 27 of the Revised Laws as amended, the New Hampshire water pollution commission as established by chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947, the forestry and recreation commission, as established by section 1, chapter 233 of the Revised Laws, the fish and game commission, as established by section 1, chapter 240 of the Revised Laws, and the New Hampshire water resources board, as established by section 3, chapter 266 of the Revised Laws, shall each choose from among its members a delegate to sit upon the council heretofore established. Such designation shall continue in full force and effect until the expiration of the term of office of any such delegate as a member of the commission or board from which he is chosen and until a new delegate is selected as his successor on the council.

### **Consolidation of Water Control Commission and the Water Resources Board**

**2. Commission Abolished; Duties, etc. Transferred.** The New Hampshire water control commission established by chapter 267 of the Revised Laws, as amended, is hereby abolished and all its functions, powers and duties as therein and otherwise set forth are consolidated and, together with its records, property and personnel, are hereby transferred to the water resources board, as provided under chapter 266 of the Revised Laws, as amended.



3. **Agency Status.** The New Hampshire water resources board shall assume the functions, powers and duties, acquire the records, property and personnel, and discharge the obligations transferred to it by the preceding section in its capacity as a state agency unaffected by its corporate existence.

4. **Corporate Existence Preserved.** The New Hampshire water resources board shall continue as a body politic and corporate under the same name and title as heretofore and shall enjoy the same rights, powers, privileges and immunities and shall be subject to the same obligations, duties, restrictions and limitations heretofore prescribed by law or created by lawful agreement, unaffected by the transfers made in the preceding section. All existing bonded indebtedness and fiscal obligations and the power to create further obligations are expressly continued in full force and effect without alteration.

5. **Appropriations.** All unexpended appropriations and funds for the use of the water control commission for the fiscal year ending June 30, 1951, are hereby transferred to the water resources board to be used only for the purposes for which they could have been legally used heretofore.

**Abolition and Transfer of Functions of the Commission to Operate and Manage the State Building at the Eastern States Exposition.**

6. **Transfer.** All the functions, powers, duties, records, property and personnel of the commission to operate and manage the state building at the Eastern States Exposition as provided by chapter 19 of the Revised Laws are hereby transferred to the planning and development commission.

7. **Abolition.** The commission to operate and manage the state building at the Eastern States Exposition is hereby abolished.

8. **Appropriations.** All unexpended appropriations and funds for the use of the commission to operate and manage the state building at the Eastern States Exposition for the fiscal year ending June 30, 1951, are hereby transferred to the planning and development commission to be used only for the purposes for which they could have been legally used heretofore.

### **Abolition and Transfer of Functions of the New Hampshire Shore and Beach Preservation and Development Commission**

**9. Transfer.** All the functions, powers, duties, records, property and personnel of the New Hampshire shore and beach preservation and development commission, provided by chapter 5 of the Revised Laws, as amended, by section 11 of chapter 182 of the Revised Laws, and as otherwise provided by law, are hereby transferred to the forestry and recreation commission.

**10. Abolition.** The New Hampshire shore and beach preservation and development commission is hereby abolished.

**11. Appropriations.** All unexpended appropriations and funds for the use of the New Hampshire shore and beach preservation and development commission for the fiscal year ending June 30, 1951 are hereby transferred to the forestry and recreation commission to be used only for the purposes for which they could have been legally used heretofore.

### **Abolition of the New Hampshire Aerial Tramway Commission and Transfer of its Functions**

**12. Transfer.** All the functions, powers, duties, records, property and personnel of the New Hampshire aerial tramway commission, established by chapter 239 of the Revised Laws, as amended, are hereby transferred to the forestry and recreation commission. Nothing herein contained shall be construed to change the method of handling revenue arising from the operation of the area under the jurisdiction of said commission nor to impair any obligation heretofore created by or under any law of this state relating thereto.

**13. Abolition.** The New Hampshire aerial tramway commission is hereby abolished.

**14. Appropriations.** All unexpended appropriations and funds for the use of the aerial tramway commission for the fiscal year ending June 30, 1951, are hereby transferred to the forestry and recreation commission to be used only for the purposes for which they could have been legally used heretofore.

**15. Repeal.** Section 1 of chapter 239 of the Revised Laws is hereby repealed and all other acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

**16. White Mountain Region Association.** In exercising the functions, powers and duties, transferred to it by section 12 above, and in the construction, development, and maintenance of projects in the area known as the White Mountain Region, the forestry and recreation commission shall consult and advise with the directors of the White Mountain Region Association, so-called, upon all matters of policy involved in the general development and supervision of public projects in said area and of its recreational facilities belonging to the state.

### **Transfer of Custody of Certain Property**

**17. Custody of State Property.** The functions of the governor and council as custodians of the Hannah Dustin monument, Franklin Pierce homestead, Daniel Webster birthplace, and the grounds connected with each, as provided in section 1 of chapter 12 of the Revised Laws are hereby transferred to the forestry and recreation commission.

**18. Transfer.** All the functions, powers, duties, records, property and personnel of the superintendent of state buildings and grounds as provided in sections 5, 7, and 11 of chapter 12 of the Revised Laws, as amended herein, insofar as any of them apply to, or are used in connection with, the property enumerated in section 17 are hereby transferred to the forestry and recreation commission.

**19. Transfer of Unexpended Appropriation.** All unexpended funds and appropriations for the use of the superintendent of state buildings and grounds allocated to be used in connection with the property enumerated in section 17, for the fiscal year ending June 30, 1951, are hereby transferred to the forestry and recreation commission, to be used only for the purposes for which they could have been legally used heretofore.

## **Part 13**

### **Weights and Measures**

**1. Weights and Measures; Transfer.** The functions, powers, duties, records, property and personnel of the commissioner of weights and measures as provided in chapter 192

of the Revised Laws, as amended, are hereby transferred to and vested in the department of agriculture to be exercised and used by the commissioner of agriculture as specified herein and as otherwise provided by law.

**2. Abolition.** The office of commissioner of weights and measures as provided in section 2 of chapter 192 of the Revised Laws, as amended, is hereby abolished.

**3. Commissioner.** Wherever the terms commissioner or commissioner of weights and measures shall appear in chapter 192 of the Revised Laws it shall be deemed to mean commissioner of agriculture.

**4. Assistance.** Amend chapter 192 of the Revised Laws by striking out section 4 and inserting in the place thereof the following: **4. Assistants.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, the commissioner may employ such assistants and incur such expenses as may be necessary to carry out the provisions of this chapter.

**5. Repeal.** Section 5 of chapter 192 of the Revised Laws is hereby repealed.

**6. Appropriation.** All unexpended funds and appropriations for the use of the commissioner of weights and measures for the fiscal year ending June 30, 1951 are hereby transferred to the department of agriculture to be used only for the purposes for which they could have been legally used heretofore.

## Part 14

### Milk Control Board

**1. Milk Control Board; Transfer.** The milk control board as provided in chapter 196 of the Revised Laws with all its functions, powers, duties, records, property and personnel is hereby transferred to the department of agriculture, and is constituted the division of milk control.

**2. Assistants.** Amend section 4 of chapter 196 of the Revised Laws by striking out said section and inserting in place thereof the following: **4. Assistants.** Said board, subject to the approval of the commissioner of agriculture and state personnel regulations, and within the limits of available

appropriations and funds, may employ and fix the salaries of an executive secretary and such assistants as may be necessary.

**3. Appropriation.** All unexpended appropriations and funds made available to the milk control board for the fiscal year ending June 30, 1951 are hereby transferred to the division of milk control in the department of agriculture to be used only for the purposes for which they could have been legally used heretofore.

**4. Disposition of Funds.** Amend chapter 196 of the Revised Laws by striking out section 13 and inserting in place thereof the following: **13. Disposition of Revenue.** All moneys received by the board from license fees and fines shall be paid promptly into the state treasury. All moneys received by the state treasurer under the provisions hereof shall be placed in a special fund to be known as the milk control fund. All expenses of the division of milk control shall be paid by the state treasurer from said milk control fund upon warrant of the governor; in addition to its appropriation, the milk control board shall receive for disbursement for the administration of said division, as may be necessary for the purposes of this chapter, such portion of any income received in excess of said appropriation as the governor and council shall approve; and any unexpended funds at the end of a fiscal year shall lapse and be available for the general purposes of the state. Provided, however, that the appropriation heretofore enacted for the fiscal year ending June 30, 1951, shall be available for the purposes of the milk control division and in the event that the milk control fund shall exceed the sum of said appropriation, the additional amount in said fund shall be available in the manner hereinbefore provided.

**5. Application of Receipts.** Amend said chapter 196 by inserting after section 13 the following new section: **13-a. Limitations on Fund.** All moneys paid into the state treasury in the manner provided by the preceding section and credited to the milk control fund shall be subject to all the provisions relating to similar funds as established by section 11 of chapter 22 of the Revised Laws, as amended by chapter 95 of the Laws of 1945.

### Part 15

#### Commissioners of Pilotage of the Harbor and River of Piscataqua

**1. Transfer.** The functions, powers, duties, records and property of the commissioners of pilotage of the harbor and river of Piscataqua as provided in chapter 182 of the Revised Laws, as amended, are hereby transferred to and vested in the public service commission as established under chapter 286 of the Revised Laws, to be exercised and used by the public service commission as specified therein and as otherwise provided by law.

**2. Abolition.** Section 1 of chapter 182 of the Revised Laws is hereby repealed and the office of commissioners established thereunder is hereby abolished.

**3. Appropriation.** The unexpended funds and appropriations for the use of the commission of pilotage of the harbor and river of Piscataqua for the fiscal year ending June 30, 1951 are hereby transferred to the public service commission to be used only for the purposes for which they could have been legally used heretofore.

### Part 16

#### Lightning Rods

**1. Transfer.** The functions, powers, duties, records, and property pertaining to lightning rods in the office of the insurance commissioner, as provided in chapter 191 of the Revised Laws, as amended, are hereby transferred to the office of the state fire marshal and shall be exercised and used by the said state fire marshal in the same manner as heretofore exercised and used by the insurance commissioner, except as otherwise specified herein.

**2. Change of Name.** Amend chapter 191 of the Revised Laws, as amended by chapter 177 of the Laws of 1943 and chapter 237 of the Laws of 1947, by striking out the words "insurance commissioner" or "commissioner" wherever they appear in sections 1-8 inclusive and inserting in place thereof the words, state fire marshal, so that said sections as amended shall read as follows:

**1. Dealer's License.** No person, firm or corporation shall sell, offer for sale, or install material used for the protection of buildings from damage by lightning, until authorized to do so by a license obtained from the state fire marshal under the provisions of this chapter.

**2. Prerequisites.** No such license shall be issued until the state fire marshal has approved of the material used or offered for sale by said dealer for the purpose of protecting from lightning, and the manner and system of installing such material. Said approval shall be given only to those materials and systems of installation as have the prior approval of the Underwriters' Laboratories, Inc., and for which they will furnish Master Labels. Such approval shall not be given until the dealer has filed a bond with the state fire marshal in the sum of five thousand dollars to guarantee that all materials so used and the installation of said materials shall have the approval of the Underwriters' Laboratories, Inc., and in the event that said installation does not meet with the approval of the Underwriters' Laboratories, Inc., within ninety days from the completion of said installation, then said dealer forthwith shall reimburse the owner for the cost of said installation, including labor and materials; nor until the state fire marshal is satisfied that the dealer has complied with such requirements and is responsible and reliable as to assets, business standing and practices and is entitled to confidence; nor until said dealer has filed a written stipulation that legal process affecting such dealer or his agent served upon the state fire marshal for the time being shall have the same effect as if personally served upon such applicant or his agent within this state.

**3. Fee; Term; Revocation.** Upon compliance with the terms of the two preceding sections, and upon payment to him of a fee of fifty dollars, the state fire marshal may issue a license to such dealer, to continue in force one year from date of issue. The license may be revoked at any time by the state fire marshal for good cause, after notice of hearing.

**4. Agent's License.** Upon written notice from a dealer licensed under this chapter of the appointment of a suitable person to act as his agent in this state, the state fire marshal may, if he is satisfied that the appointee is a suitable person, issue to him a license as such agent, upon the payment of a fee

of ten dollars. Such license shall continue in force one year from date of issue, but may be revoked at any time by the state fire marshal for good cause, after notice and hearing.

**5. Exhibiting License.** Every agent or dealer shall, upon demand, exhibit his license to any mayor, selectman, sheriff or his deputy, constable or police officer, and to any person to whom he sells or offers to sell lightning rods, and shall furnish a copy of this chapter to the purchaser of such lightning rods. If he neglects or refuses to do so, he shall be liable to the penalty provided for acting as such agent or dealer without a license.

**6. Limitations.** The licenses provided for by this chapter are good for only one person, firm or corporation, and are not transferable.

**7. Penalty.** Any person not licensed as provided by this chapter, selling or offering for sale such lightning rods or other material, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both.

**8. Suit.** Any property owner whose property has been rodged under the provisions of this chapter may bring suit within one year from the date of the completion of said installation in the name of the state fire marshal upon the bond herein provided, and have the same procedure and remedies thereon, as in the case of bonds of county officers.

**3. Legal Service.** Amend section 9 of chapter 191 of the Revised Laws as inserted by chapter 237 of the Laws of 1947 by striking out the same and inserting in place thereof the following: **9. Service on Fire Marshal.** Whenever legal process against such dealer is served upon the state fire marshal he shall make memoranda of the fact in a book provided for the purpose and upon the paper served, and shall forthwith notify the dealer thereof by letter addressed to him at his principal office in this country; and on the following day he shall forward the paper served upon him to the dealer.

**4. Existing Licenses.** The provisions of this chapter shall not require the cancelling or reissuing of any license issued prior to the effective date of this act.



### Part 17 Veterinary Examiners

**1. Transfer.** Amend chapter 223 of the Revised Laws, as amended, by adding at the end thereof the following new sections: **47. Transfer.** The board of veterinary examiners, as provided in chapter 255 of the Revised Laws, as amended, is hereby transferred to the department of agriculture and it shall function as a separate organizational entity as heretofore constituted and with all the powers and duties as heretofore provided, except as otherwise specified herein. **48. Supervision.** The commissioner of agriculture shall exercise general supervision over such clerical personnel of the board of veterinary examiners as work within his office.

### Part 18 Labor

**1. Department.** Amend chapter 210 of the Revised Laws, as amended, by striking out section 1 and inserting in place thereof the following new sections: **1. Department; Commissioner.** There shall be a department of labor under the executive direction of a labor commissioner who shall be appointed by the governor, with the advice and consent of the council; provided, however, that the labor commissioner heretofore appointed shall continue as labor commissioner for the remainder of his present term. Subject to the state personnel regulations, and within the limits of available appropriations and funds, the labor commissioner shall employ such clerks and assistants as may be necessary for the performance of the duties of the department, except for the division of employment security. **1-a. Name.** Whenever the word bureau shall appear in the Revised Laws with reference to the bureau of labor, it shall be deemed to mean department.

### Inspectors of Factories

**2. Transfer.** The functions, powers, duties, property, records and personnel of the inspectors of factories and other places of employment as provided in section 36 of chapter 137 of the Revised Laws are hereby transferred to the department of labor and shall be exercised, vested, and used therein. All inspectors in the department of labor shall also have the same powers as to enforcement and serving of warrants as provided in said section.

3. **Appropriation.** All unexpended funds and appropriations made available for the inspectors of factories and other places of employment as provided in section 36 of said chapter 137 for the fiscal year ending June 30, 1951 are hereby transferred to the department of labor to be used only for the purposes for which they could have been legally used heretofore.

### **Employment Security**

4. **Division of Employment Security.** The unemployment compensation division, as provided in chapter 218 of the Revised Laws, as amended, and the employment service as provided in chapter 211 of the Revised Laws are hereby transferred to and shall constitute a division of employment security within the department of labor.

5. **Director.** There shall be a director of the division of employment security who shall be appointed by the labor commissioner with the approval of the governor and council.

6. **Term.** The director shall hold office during good behavior.

7. **Removal.** The director may be removed only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as hereinafter amended.

8. **Salary.** The annual salary of the director shall be five thousand five hundred dollars minimum, six thousand dollars maximum and, subject to compliance with laws and regulations approved by the Federal Bureau of Employment Security, his actual expenses incurred in the work of his office shall be paid; he shall start at the minimum salary and each year thereafter shall be entitled to an increase of one hundred dollars until the maximum salary is reached.

9. **Duties.** The director shall be the executive officer of the division of employment security and exercise full direction and general supervision thereof; the authority and power of the labor commissioner as provided in chapter 211 and chapter 218 of the Revised Laws, as amended, are hereby transferred to the director and he is hereby authorized to act in the name of the labor commissioner in all matters pertaining thereto.

**10. Employment Service Bureau.** The New Hampshire employment service division shall hereafter be known as the New Hampshire employment service bureau and shall function in all respects as heretofore except as otherwise provided herein.

**11. Unemployment Compensation Bureau.** The unemployment compensation division shall hereafter be known as the unemployment compensation bureau and shall function in all respects as heretofore except as otherwise provided herein.

### **Apprenticeship Council**

**12. Transfer.** The apprenticeship council as provided in chapter 212-A of the Revised Laws, as inserted by chapter 166 of the Laws of 1947, with all its functions, powers, duties, records, property and personnel is hereby transferred to the department of labor and shall function therein as a separate organizational entity, as heretofore constituted, and with all the powers and duties as heretofore provided.

### **Inspectors**

**13. Inspectors Authorized.** Amend section 29 of chapter 215 of the Revised Laws by striking out said section and inserting in place thereof the following: **29. Inspectors.** For the purpose of inspecting factories, workshops, commercial and such mercantile establishments as the commissioner shall designate, and for the further purpose of making such other inspections as said commissioner may be authorized to do, he shall employ five competent persons who shall be known as inspectors, one of whom shall be a woman, and shall fix their compensation in accordance with the state personnel regulations, and within the limits of available appropriations and funds; provided, however, that the factory inspectors heretofore employed shall continue as inspectors hereunder.

### **Part 19**

### **Alcoholism**

**1. Transfer; Division Constituted.** Amend chapter 147 of the Revised Laws, as amended, by adding at the end thereof the following new section: **27. Transfer.** The commission on alcoholism, as provided in chapter 254 of the Laws of 1947, as inserted by chapter 313 of the Laws of 1949, together with

all its functions, powers, duties, records, property and personnel, is hereby transferred to and shall constitute a division of the department of health, and shall be known as the division on alcoholism.

**2. Appropriation.** All unexpended funds and appropriations made available to the commission on alcoholism for the fiscal year ending June 30, 1951 are hereby transferred to the department of health to be used only for the purposes for which they could have been legally used heretofore.

**3. Commission.** Amend section 3 of chapter 254 of the Laws of 1947, as inserted by chapter 313 of the Laws of 1949, by striking out said section and inserting in place thereof the following: **3. Commission Constituted.** There shall be a commission on alcoholism consisting of the state health officer *ex officio* and six members who shall be appointed by the governor with the advice and consent of the council and one of whom shall be designated by the governor as chairman. One member of said commission shall be appointed annually for a term of six years. The term of each member shall be stated in his appointment, and each shall continue in office until his successor has been appointed and qualified. If a vacancy occurs in the membership of the commission a member shall be appointed to serve for the unexpired term. The members of the commission on alcoholism heretofore appointed shall be members of the commission on alcoholism herein provided, until the expiration of their respective terms; and the first term of the new member provided herein shall expire July 8, 1955. With the consent of the council, the governor may remove any member for cause. The commission shall meet six times each year, or more, at the call of the chairman. Upon failure of a member to attend three consecutive meetings his appointment shall be vacated unless excused by formal action of the commission. The executive director shall be the secretary of the commission, but shall have no vote.

**4. Executive.** Further amend said chapter 254 by striking out section 6 and inserting in place thereof the following new sections: **6. Executive Director.** Subject to the approval of the state board of health and in accordance with state personnel regulations, the commission shall appoint an executive director who shall hold office during good behavior; provided,

however, that the director heretofore appointed shall continue as director subject to all the provisions hereof. **6-a. Duties of Commission.** The commission shall review, advise and consult with the executive director as to matters of policy and problems within the purview of this chapter, and may make recommendations as to such matters.

**5. Duties.** Further amend said chapter 254 by striking out section 7 and inserting in place thereof the following: **7. Duties of Executive Director.** Subject to the direction and supervision of the state health officer the executive director shall:

I. Study alcoholism and its problems, including methods and facilities available for care, custody, detention, treatment, employment and rehabilitation of persons who are inebriates;

II. Promote meetings and programs for the discussion of alcoholism or any of its aspects, disseminate information on the subject of alcoholism for the guidance and assistance of individuals, courts and public or private agencies in the state, and for the prevention of alcoholism;

III. Conduct, promote and finance, in full or in part, studies, investigations and research, independently or in co-operation with universities, colleges, scientific organizations, state or federal agencies;

IV. Accept for examination, diagnosis, guidance and treatment, insofar as funds permit, any resident of the state coming to the division of his own volition for advice and guidance;

V. Make rules and regulations respecting the acceptance, care, treatment and discipline of inebriates who are the division's patients as he deems necessary, providing that such are in harmony with other provisions of this act;

VI. Render biennially to the governor and council and the general court a report of its activities including recommendations for improvements therein, by legislation or otherwise;

VII. Organize the work of the division; and, except as otherwise specifically provided, employ such assistants as may be necessary to carry out the purposes of this chapter, in

accordance with the state personnel regulations, and within the limits of available appropriations and funds.

**6. Grant.** Amend said chapter 254 by striking out section 8 and inserting in place thereof the following: **8. Acceptance of Grants.** The department of health is authorized to accept in the name of the state special grants of money or services from the federal or state governments or any of their agencies and may accept gifts to carry on the activities of the division.

**7. Facilities.** Further amend said chapter 254 by striking out section 9 and inserting in place thereof the following:

**9. Facilities and Personnel.** On the recommendation of the director, and within the limits of available appropriations and funds, the department of health may contract for such educational, research, casework, institutional, medical facilities, personnel and services of public or private agencies as are necessary or desirable to carry out the provisions of this act. On recommendation of the executive director, the department of health may assign for training such medical, technical and clinical personnel as may be desirable.

**8. Buildings.** Amend said chapter 254 by striking out section 10 and inserting in place thereof the following: **10. Buildings and Equipment.** The commission, with the consent of the governor and council, may establish or construct an institution for the treatment of patients of the division and shall have authority to purchase or lease land, buildings and equipment suitable for that purpose when funds are made available. The executive director shall have the management and control of the property so acquired and subject to the approval of the state board of health and in accordance with the state personnel regulations shall appoint an administrator of any institution so constructed or established.

**9. Committals and Admissions.** Further amend chapter 254 by striking out section 12 and inserting in place thereof the following: **12. Committals; Custody; Acceptance and Admissions.** **I. Voluntary Admissions.** Any resident of the state, or the parent, person *in loco parentis*, or the legal guardian of a resident under twenty-one years of age or mentally incompetent, may apply to the executive director or the facilities of the division for voluntary admission of such

resident for care, treatment and guidance. The executive director may make such regulations and requirements for the admission, care and treatment of voluntary patients as he deems best except that such patients shall not be under the control of the executive director for less than sixty days nor more than one year. The requirements and regulations of the executive director in regard to voluntary patients shall be printed and made available to the public. No voluntary patient shall, by asking the help or care of the executive director, abridge any of his civil rights nor shall evidence of his voluntary submission to the executive director's care and control be admissible against him in any court. All records pertaining to voluntary patients shall be kept confidential and not divulged.

II. Any justice of the superior court and any justice of a municipal court, on petition of the executive director or of any citizen of the state, may commit to the care and custody of the division for a period of not less than sixty days nor more than three years any person found by the court on hearing to be an inebriate. Except when the executive director is the initiating party, the executive director shall be notified seasonably of any pending hearing provided for in this paragraph, by the court having jurisdiction thereof, and the executive director may appear as an interested party. If the presiding justice finds the evidence sufficient to justify a finding that the petitionee may be an inebriate, he may, pending the order as to committal, require such petitionee to submit to the executive director for observation and study for a period of not more than fourteen days to determine whether in the judgment of the executive director said petitionee is an inebriate. At the end of such period the executive director shall report his findings to the presiding justice. Provided, however, that no court commitment hereunder shall be made when the executive director states that he has not suitable facilities or personnel for the care of such person. The findings of the presiding justice on all questions of fact presented by any proceeding brought before him under this paragraph shall be final.

III. Any person who is placed by court order under the division's custody and care, or any person who is accepted by the executive director as a voluntary patient, shall be subject to the control and regulation of the executive director or such employee of the division as he may designate. Any patient of

the division may be permitted to go at large without custody or restraint for such times and under such conditions as the executive director or his designated agent judges best.

IV. The executive director may make an order transferring a patient of the division to another appropriate state or private agency or institution within or without the state for treatment or care. In the event that the patient has been committed to the division by a court, the order for such transference shall not exceed the time specified in the court order.

V. At the expiration of the term of custody and care of a patient who has been committed by a court to the division, the patient shall be discharged unless the executive director recommends to the court prior to expiration that the patient is in need of additional care and treatment, in which event the court on hearing may order the patient recommitted.

VI. When a patient is deemed ready for discharge by the executive director, he may through his designated agent request the termination of the court order before the expiration date.

**10. Costs.** Further amend said chapter 254 by striking out section 13 and inserting in place thereof the following: **13. Costs and Income.** I. In respect to any or all items of expense incurred by the division in connection with the commitment, care, custody, treatment and rehabilitation of any of its patients, the division insofar as possible shall seek to be reimbursed by the patient or persons liable for the support of the patient. The executive director shall determine whether a patient, or any persons chargeable therewith, is able to bear the expense incidental to said commitment, care, custody, treatment and rehabilitation. In a case where the patient, or persons chargeable with his support, are able to pay only a part of such expense, the executive director upon satisfactory evidence may direct that such part of the expense as cannot be met by the patient or persons chargeable therewith be paid by the state. No patient is to be charged at any rate greater than cost;

II. In the event of the commitment of an inebriate by a court to the division, the court may inquire into the financial condition of the inebriate or any other person charged with his support and may impose liability for the expenses of the in-



ebriate's custody and care on the proper person, county or town;

III. Such money as is received by the department from a patient of the division, or on his behalf, for sale of services or things, or for any other reason, shall be placed in a special fund to be used for the purposes of this act alone. Said funds shall be in addition to the appropriations granted the division;

IV. The department of health is authorized from its appropriation or from funds allotted for the division by the governor and council, upon petition of the executive director therefor, to create a revolving fund which shall be used for loans to finance the expenses of the costs of care, custody, treatment and rehabilitation of its patients. Such loans shall be made without interest charges.

**11. Repeal.** Section 5 of chapter 254 of the Laws of 1947, as inserted by chapter 313 of the Laws of 1949, is hereby repealed.

## **Part 20**

### **Cancer Commission**

**1. Clerical Assistance.** Amend chapter 147 of the Revised Laws, as amended, by adding at the end thereof the following new section: **28. Cancer Commission.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, the department of health shall furnish to the cancer commission, as provided in chapter 152 of the Revised Laws, such clerical and secretarial assistance as may be necessary to carry out the duties and functions of said commission. Said commission shall continue to function as a separate organizational entity as heretofore constituted, with all the powers and duties as heretofore provided, except as otherwise specified herein.

**2. Transfer; Appropriation.** All unexpended appropriations and funds made available to the cancer commission and allocated to clerical and secretarial hire for the fiscal year ending June 30, 1951 are hereby transferred to the department of health to be used only for the purpose for which they legally could have been used heretofore.

## Part 21 Tuberculosis

1. Amend the Revised Laws by inserting after chapter 151 the following new chapter:

### Chapter 151-A Tuberculosis Commission

1. **Commission Established.** There shall be within the department of health a tuberculosis commission of nine members, consisting of the state health officer *ex officio*, the director of communicable disease of the state department of health, *ex officio*, the executive secretary of the New Hampshire Tuberculosis Association *ex officio* and six other members, one of whom shall be a general medical practitioner, all of whom shall be appointed by the governor with the advice and consent of the council. The appointed members shall serve for terms of six years provided, however, that the first appointments shall be made one for six years, one for five years, one for four, one for three, one for two, and one for one year. Any vacancy in the commission shall be filled for the unexpired term and the members shall serve until their successors are appointed and qualified.

2. **Transfer.** All the functions, powers, duties, records, property, and personnel of the department of health assigned to tuberculosis control work in accordance with chapter 151 of the Revised Laws, and as otherwise provided, are hereby transferred to the tuberculosis commission.

3. **Appropriation.** All unexpended appropriations and funds available to the department of health for the control of tuberculosis and the care and treatment of tubercular patients for the fiscal year ending June 30, 1951 may be used by the department of health for the purposes for which they could have been legally used heretofore.

4. **Director.** Subject to the state personnel regulations, and within the limits of available appropriations and funds, and subject to the approval of the state board of health the tuberculosis commission shall appoint a director of tuberculosis control.

5. **Duties.** The tuberculosis commission shall (1) have full and exclusive control over all policies of the state in

connection with tuberculosis control, and the care and treatment of tubercular patients; (2) have direct control and authority over all admissions to state tuberculosis sanatoriums, (3) determine the conditions under which state tubercular patients may be admitted to private sanatoriums.

**2. Abolition.** The board of trustees of the New Hampshire state sanatorium as heretofore constituted under chapter 14 of the Revised Laws is hereby abolished.

**3. Trustees.** There shall be a board of trustees of the New Hampshire state sanatorium of five members, consisting of the state health officer *ex officio*, a councilor and three members of the tuberculosis commission, one of whom shall be a general medical practitioner, all of whom shall be designated by the governor with the advice and consent of the council and who shall serve during their respective terms of office as councilor or members of the tuberculosis commission.

**4. Trustees; Duties.** Amend chapter 153 of the Revised Laws by striking out section 2 and inserting in place thereof the following: **2. Powers of Trustees.** The trustees shall be a corporation, known as Trustees, New Hampshire State Sanatorium, with power to sue upon any contract to which it is by law authorized to be a party; to manage and control the property and concern of the sanatorium; to appoint a superintendent, who shall be a physician; to appoint, in accordance with the state personnel regulations, and within the limits of available appropriations and funds, such assistants as they may, from time to time, deem necessary or proper; to take and hold in trust for the state any grant, devise, bequest, or donation of property for the use of the sanatorium, or for the maintenance of help of any patient or patients therein; and to adopt such by-laws and rules as they may deem necessary or proper for the management of their business affairs and the government of the sanatorium, subject, however, to the determination of the board of control of the department of hospitals as to matters within its jurisdiction.

## Part 22

### Health Department; Licensing Boards

**1. Boards; Transfer.** Amend chapter 147 of the Revised Laws, as amended, by adding at the end thereof the

following new section: **29. Transfer.** The board of registration in medicine, as provided in chapter 250 of the Revised Laws, as amended; the state dental board, as provided in chapter 251 of the Revised Laws, as amended; the chiropody board, as provided in chapter 254 of the Revised Laws, as amended; the board of registration of funeral directors and embalmers, as provided in chapter 168 of the Revised Laws, as amended; the barbers examining and licensing board, as provided in chapter 158 of the Revised Laws, as amended; the commission of pharmacy and practical chemistry, as provided in chapter 256 of the Revised Laws, as amended; and the board of registration of hairdressers, as provided in chapter 157 of the Revised Laws, as amended, are hereby transferred to the department of health and each shall function as a separate organizational entity as heretofore constituted and with all the powers and duties as heretofore provided, except as otherwise specified herein. **30. Uniform Records.** So far as practicable and after consultation with the professional and trade licensing and registering boards within the department of health, the state health officer shall prescribe uniform procedures for all secretarial and recording activities of said board. **31. Supervision.** The state health officer shall exercise general supervision over such clerical personnel of the professional and trade licensing and registering boards within the department of health as work within his office. **32. Office Space.** The state health officer shall provide necessary office space for each professional and trade licensing and registering board within the department of health.

**2. Transfer; Personnel.** The full-time clerical and secretarial personnel, if any, of the boards specified in section 1 are hereby transferred to the department of health.

**3. Appropriations.** All unexpended appropriations and funds made available for the use of the personnel transferred in section 2 for the fiscal year ending June 30, 1951, are hereby transferred to the board of health to be used only for the purposes for which they could have been legally used heretofore.

## **Part 23**

### **Education**

**1. Department Established.** Amend section 1 of chapter 134 of the Revised Laws, as amended by chapter 32 of the

Laws of 1943, by striking out said section and inserting in place thereof the following: **1. Organization.** There shall be a department of education consisting of a state board of education of seven members, a commissioner of education, and such other officials and employees as may be authorized. The seven members of the board of education shall serve without pay and shall not be technical educators nor professionally engaged in school work. Each member shall hold office until his successor is appointed and qualified, as provided in the following sections.

### **Board of Nurse Examiners**

**2. Board; Transfer.** Amend chapter 134 of the Revised Laws, as amended, by adding at the end thereof the following new sections: **52. Transfer.** The board of nurse examiners, as provided in chapter 257 of the Revised Laws, as inserted by chapter 285 of the Laws of 1947, is hereby transferred to the department of education and it shall function as a separate organizational entity as heretofore constituted and with all the powers and duties as heretofore provided, except as otherwise specified herein. **53. Supervision.** The commissioner of education shall exercise general supervision over such clerical personnel of the board of examiners as work within his office.

### **Part 24**

#### **State Insurance and Officials' Bonds**

**1. Insurance; Boiler.** Amend section 35 of chapter 27 of the Revised Laws by striking out said section and inserting in place thereof the following: **35. Limitations.** The funds of the state or any department or institution thereof shall not be used for providing for insurance of property owned by the state against loss by fire or other casualty or against claims by third parties; provided, however, that such insurance as may be specifically authorized by law shall be carried, and such insurance as may be approved by the governor and council shall be carried on elevators and high pressure steam boilers with a safety valve setting in excess of fifteen pounds pressure, in connection with inspection.

**2. Repeal.** Sections 38 and 39 of chapter 27 of the Revised Laws are hereby repealed.

3. **Insurance; Liquor Warehouse.** Amend section 15 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: **15. Insurance.** The commission shall have power to protect the state liquor warehouse or warehouses and contents against fire and sprinkler damage and such insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7 of this part.

#### **Tramway Insurance**

4. **Aerial Tramways; Insurance.** Amend chapter 239 of the Revised Laws by adding after section 3 the following new section: **3-a. Insurance.** The commission or agency having charge of the Cannon Mountain aerial tramway shall procure liability, fire, extended coverage or Marine insurance through the director of purchase and property, who shall consult with the board of approval established by section 7 of this part.

5. **Aerial Tramway; Sunapee.** Amend chapter 239 of the Revised Laws by adding after section 11 the following new section: **11-a. Insurance.** The commission or agency having charge of the Mt. Sunapee aerial tramway shall procure liability, fire, extended coverage or Marine insurance through the director of purchase and property, who shall consult with the board of approval established by section 7 of this part.

#### **Officials' Bonds**

6. **Bonds Required by State Officials.** No official of the State of New Hampshire shall henceforth be required to furnish a bond conditioned for the faithful performance of his official duties except as specifically designated by the constitution or as otherwise provided by law.

7. **Board of Approval.** There is hereby established a board consisting of the attorney-general, the insurance commissioner and the bank commissioner whose duty it shall be to determine the amount, where no amount is specified, and the sufficiency of the surety, where a bond is required of an official or employee of the state; and such other duties as may be provided by law; and no bond shall be valid until approved by said board.

**8. Federal Requirements.** Executive officers of un-employment compensation and employment service in the department of labor shall be bonded in accordance with the preceding section in the event that federal regulations require them to furnish a bond.

**9. Repeal; Bond; Agriculture.** Section 4 of chapter 223 of the Revised Laws, relative to the bond of the commissioner of agriculture, is hereby repealed.

**10. Repeal; Bond; Attorney-General.** Sections 2 and 3 of chapter 24 of the Revised Laws, relative to the bond of the attorney-general, are hereby repealed.

**11. Repeal; Bond; Athletic Commission.** Section 2 of chapter 172 of the Revised Laws, relative to the bond of the chairman-secretary of the athletic commission, is hereby repealed.

**12. Bond; Barber Board.** Amend section 5 of chapter 158 of the Revised Laws by striking out the first sentence thereof, relative to the bond of the secretary-treasurer of the barbers' board, so that said section as amended shall read as follows: **5. Receipts and Their Disposition.** All moneys received by the board hereunder shall be paid to the secretary of the board, who shall give a receipt therefor and shall at the end of each month report to the comptroller the total amount of money received and thereupon deposit the same with the state treasurer.

**13. Bond; Fish and Game.** Amend section 8 of chapter 240 of the Revised Laws by striking out the words beginning on line 14 "he shall execute and file with the secretary a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties" so that said section as amended shall read as follows: **8. How Chosen; Duties.** The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wild life resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the com-

mission may determine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall have general supervision and control of all activities, functions and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals, and birds, and shall exercise all necessary powers incident thereto.

**14. Bond; Hairdressers' Board.** Amend section 7 of chapter 157 of the Revised Laws, relative to the hairdressers' board, by striking out said section and inserting in place thereof the following: **7. Compensation of Board; Disposition of Revenue.** The secretary shall receive and receipt for all fees received by the board and shall at the end of each month report to the comptroller the total amount of all money received from all sources and shall at the same time deposit with the treasurer the entire amount of said receipts. The annual salary of said secretary shall be five hundred dollars. Each member of the said board shall receive five dollars a day while in attendance upon examinations or conducting inspections and reasonable expenses while traveling in the performance of his duties. The compensation and expenses of the members of the board shall be paid by the state treasurer upon the warrant of the governor, but the total expenditures for such purpose shall not exceed the total moneys received by the state treasurer under the provisions hereof.

**15. Repeal; Bond; Industrial School.** Section 9 of chapter 463 of the Revised Laws, relative to bonds of the superintendent and the treasurer of the state industrial school, is hereby repealed.

**16. Bond; State Stores.** Amend section 10 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Operation of State Stores; Sales Agents.** The commission may in its discretion operate state stores for the sale of liquor in such cities and towns as shall have accepted the provisions hereof as



hereinafter provided, and, subject to the state personnel regulations, and within the limits of available appropriations and funds, may appoint sales agents to sell liquor in said stores; any sales agent appointed for any store shall have been a resident of the town where said store is located for at least six months prior to said appointment. The salaries of such sales agents shall not be governed by the amount of sales. No sales agent, authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions hereof.

**17. Bond; State Police.** Amend section 3 of chapter 145 of the Revised Laws by striking out said section and inserting in place thereof the following: **3. Qualifications and Superintendent.** The superintendent shall be a citizen of the United States and have had experience in the investigation of crime and criminal prosecution at the time of his appointment.

**18. Repeal; Bond; Warden.** Section 4 of chapter 464 of the Revised Laws, relative to the bond of the warden of the state prison, is hereby repealed.

**19. Bond; Probation.** Amend section 7 of chapter 379 of the Revised Laws by striking out said section and inserting in place thereof the following: **7. Bonds.** The director and the assistant director of probation shall give bonds in such sums as may be determined by the board of approval established in section 7 of part 24 of the reorganization act of 1950.

**20. Bond; Veterinary Examiners.** Amend section 7 of chapter 255 of the Revised Laws, relating to treasurer of veterinary examiners, by striking out said section and inserting in place thereof the following: **7. Treasurer.** The treasurer shall receive all money paid under the provisions of this chapter, and shall remit the same to the state treasurer quarterly on the first days of February, May, August and November. He shall perform such other duties as the rules and regulations of said board prescribe.

**21. Repeal; Bond; Weights and Measures.** Section 6 of chapter 192 of the Revised Laws, relative to bonds of inspectors of weights and measures, is hereby repealed.

**22. Bond; Engineers' Board.** Amend section 8 of chapter 170 of the Laws of 1945, relating to board of registration of

engineers, by striking out said section and inserting in place thereof the following: **8. Receipts and Disbursements.** The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same to the state treasurer, who shall keep such moneys in a separate fund to be known as the "Professional Engineers' Fund." Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only for the purposes hereof. All moneys in the fund are hereby specifically appropriated for the use of the board. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in section 4. The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which reasonably in the opinion of the board is necessary for the proper performance of its duties under this act, including the expenses of the board's delegates to annual conventions of, and membership dues to, the National Council of State Boards of Engineering Examiners. Under no circumstances shall the total amount of payments made hereunder exceed the amount of the fees collected hereunder.

**23. Bond; Architects' Board.** Amend section 8 of chapter 197 of the Laws of 1947, relating to secretary of architects' board, by striking out said section and inserting in place thereof the following: **8. Receipts and Disbursements.** The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same to the state treasurer who shall keep such moneys in a separate fund to be known as the Registered Architects' Fund. Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only for purposes hereof. All moneys in the fund are hereby specifically appropriated for the use of the board. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in section 4. The board may employ such clerical and other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which reasonably in the opinion of the board is necessary for the proper performance of its duties under this act. Under no circumstances

shall the total amount of payments made hereunder exceed the amount of the fees collected hereunder.

**24. Bond; Insurance Commissioner.** Amend section 6 of chapter 321 of the Revised Laws by striking out said section and inserting in place thereof the following: **6. Bonds.** The commissioner and the deputy commissioner shall give bonds to the state conditioned upon the faithful discharge of the duties of their offices. Said bonds shall be filed in the office of the secretary of state.

**25. Bond; Commissioner of Motor Vehicles.** Amend chapter 115 of the Revised Laws by striking out section 4 and inserting in place thereof the following: **4. Bonds.** The commissioner and the administrative assistant shall give bonds to the state conditioned upon the faithful discharge of the duties of their offices.

## Part 25

### General Provisions

**1. State Employees.** From and after the date when the governor and council shall declare the adoption of the classification plan as provided in "An Act to Establish a Unified Personnel System for the State," neither the governor nor council shall be required to approve the employment, or salary, of any employee within the state classified service except as such approval may be specifically required either by the said "Act to Establish a Unified Personnel System for the State" or by this act.

**2. Interpretation.** Wherever the words "clerical and secretarial" or "secretarial and clerical" appear in this act, they shall be construed not to include any executive secretary.

**3. State Officials; Removal.** Amend section 48 of chapter 27 of the Revised Laws, as inserted by chapter 231 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **48. Removal for Cause.** Except as otherwise specifically provided, no official of the state outside of the state classified service shall be discharged or removed except by the governor and council for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties, or for the good of the department, agency or institution to which he is assigned. The attorney-general,

or the appointing authority of such official may petition the governor and council for his removal, setting forth the grounds and reasons therefor. The governor and council shall hold a public hearing upon such petition, giving due notice thereof to such official not less than thirty days before the hearing, and shall, if they find, upon due hearing, good cause for removal of such official, order his removal from office.

**4. State Officials and Employees; False Certifications, etc.** Amend chapter 22 of the Revised Laws by inserting after section 33 the following new sections: **33-a. False Certification; Penalty.** If any officer or employee of the state who is responsible for certification of any work progress report, invoice, manifest or other document used as a basis for payment of any money appropriated under any capital or other budget act shall knowingly or wilfully make or certify any false statement in connection therewith he shall be fined not more than two thousand dollars or imprisoned not more than five years or both. **33-b. False Statement; Penalty.** If any officer or employee of the state in performing the duty of awarding any contract as a result of competitive bid, required under any capital budget act, shall knowingly or wilfully make or certify any false statement in connection therewith or shall recommend to the governor and council the approval of any such award to other than the lowest responsible bidder, except as provided by law, he shall be fined not more than two thousand dollars or imprisoned not more than five years or both.

**5. Federal Funds.** Notwithstanding any other provision of law, the governor and council are hereby authorized to designate from time to time, as they may deem in the best interest of the state, the proper persons or agencies in the state government to take all necessary action to apply for, receive and administer any federal benefits, facilities, grants-in-aid, or other federal appropriations or services made available to assist state activities, for which the state is, or may become eligible.

**6. Certain Transfers Permitted.** The comptroller is hereby authorized to effect such transfers of federal funds between state agencies as may be permitted by the laws of the United States, in order to reimburse any agency of the state for services performed for, or facilities made available to, an-

other state agency in the administration of federal benefits, facilities, grants-in-aid, or other federal appropriations or services made available to state activities.

**2. Space.** To the extent that the operation of any provision of this act is limited by the availability of adequate office space, as determined by the governor and council, said provision shall take effect when such space becomes available, and the governor and council shall thereupon assign such space in accordance with section 12 of chapter 12 of the Revised Laws as amended by section 5 of part 7 of this act.

**3. Execution; Adjustments.** The governor and council are hereby authorized to take all necessary action to carry out the provisions of this act. Whenever it shall appear in the operation hereof that the assignment of, or failure to assign, functions, powers, duties, records, property and personnel under the said provisions result in defeating rather than in furthering the purposes of economy and efficiency which this act is intended to promote, then the governor and council are hereby authorized to take such immediate action by executive order as may be necessary to carry out said purposes and correct said deficiencies.

**4. Continuance by Reenactment.** Where any provision of a statute repealed by this act is substantially reenacted in this act the law shall be deemed to have continued in force from the first enactment, as if no reenactment and repeal had taken place.

**5. Reservation; Officers.** All persons who, at the time when this act shall take effect, shall hold any office under any of the laws hereby affected, shall continue to hold the same according to the tenure thereof, except as otherwise specifically provided herein.

**6. Constitutionality.** If any provision of this act or of its component parts, or the application thereof to any person or circumstance, shall be held invalid, the remainder of said act or parts, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

**7. Effect on Existing Laws.** The provisions of this act, so far as they are the same as those of existing laws, shall be

construed as a continuation of such law and not as a new enactment. The repeal by this act of any provision of law, shall not revive any law heretofore repealed or superseded; nor shall such repeal affect any act done, liability incurred, or any right accrued or vested, or affect, abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws; nor shall such repeal affect the validity of any contract to which the state, or any agency of the state, is a party in interest.

**8. Repeal.** All acts or parts of acts not specifically repealed by this act, which are inconsistent with any provisions hereof, are hereby repealed to the extent of such inconsistency.

**9. Takes Effect.** Except as otherwise specifically provided, this act shall take effect June 30, 1950.  
[Approved May 17, 1950.]

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## CHAPTER 6.

### AN ACT ESTABLISHING THE NEW HAMPSHIRE TEACHERS' RETIREMENT SYSTEM.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. New Hampshire Teachers' Retirement System.** Amend the Revised Laws by inserting after chapter 136-A, as inserted by chapter 145, Laws of 1947, the following new chapter:

#### Chapter 136-B

##### New Hampshire Teachers' Retirement System

**1. Definitions.** The following words and phrases as used herein, unless a different meaning is plainly required by the context, shall have the following meanings:

I. "Retirement system" shall mean the teachers' retirement system of the state of New Hampshire, as defined in section 2 hereof.

II. "State" shall mean the state of New Hampshire.

III. "Board of trustees" or "trustees" shall mean board provided for in section 10 hereof.

IV. "Employer" shall mean the state of New Hampshire, the local school district, or other employers of teachers eligible for membership in the system.

V. "Teacher" shall mean any regular or special teacher, principal, supervisor or administrator, librarian or other member of the teaching or professional staff engaged in the service of the public elementary and secondary schools located within the state and supported by and under control of any employer as defined. In all cases of doubt the board of trustees, herein defined, shall determine whether any person is a teacher as defined in this act. School nurses who are members of the state employees' retirement system as provided in chapter 201, Laws of 1945, on the effective date hereof, shall not be classified as teachers under this retirement system.

VI. "Member" shall mean any person included in the membership of the retirement system, as provided in section 3 hereof.

VII. "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided herein.

VIII. "Service" shall mean service as a teacher paid for by an employer.

IX. "Membership service" shall mean service as a teacher rendered while a member of the retirement system.

X. "Prior service" shall mean service rendered prior to the date of establishment of the retirement system for which credit is allowable under section 4 hereof.

XI. "Creditable service" shall mean prior service plus membership service as provided under section 4 hereof.

XII. "Earnable compensation" shall mean the full base rate of compensation paid to a teacher, plus such additional amounts as may be paid for extracurricular educational activities or cost of living bonus. In cases where compensation includes maintenance the board of trustees shall fix the value of that part of the compensation not paid in money.

XIII. "Average final compensation" shall mean the average annual earnable compensation of a member during his last five years of creditable service, or if he has less than five years of creditable service, it shall mean his average annual earnable compensation during his total creditable service.

XIV. "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member, together with regular interest thereon, as provided in section 12, paragraph 1, hereof.

XV. "Teacher annuity" shall mean annual payments for life derived from the accumulated contributions of a member.

XVI. "Teacher annuity reserve" shall mean the present value of all payments to be made on account of a teacher annuity, computed at regular interest upon the basis of the mortality tables adopted by the board of trustees.

XVII. "State annuity" shall mean annual payments for life derived from contributions by an employer, and the state, in recognition of the public service rendered by the teachers in the public schools of the state.

XVIII. "State annuity reserve" shall mean the present value of all payments to be made on account of a state annuity, computed at regular interest upon the basis of the mortality tables adopted by the board of trustees.

XIX. "Retirement allowance" shall mean the sum of the teacher annuity and the state annuity. All retirement allowances shall be payable in equal monthly installments which shall cease with the last monthly payment prior to death, provided, however, that if the retirement allowance is less than ten dollars per month, it may be paid, at the discretion of the board of trustees, in quarterly or semi-annual installments due at the midpoint of such period, or in a lump sum of equivalent actuarial value.

XX. "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions hereof.

XXI. "Regular interest" shall mean interest at such rate compounded annually as may be set from time to time by the board of trustees in accordance with section 10, paragraph VIII, hereof.

XXII. "Actuarial equivalent" shall mean a benefit of equal value when computed at regular interest upon the basis of the mortality tables last adopted by the board of trustees.

**2. Name and Date of Establishment.** The retirement system hereby created shall be established as of July 1, 1950.



It shall have the powers, privileges and immunities of a corporation, and shall be known as the New Hampshire Teachers' Retirement System, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held in trust for the purpose for which received.

**3. Membership.** I. Any person who becomes a teacher after the date of establishment shall become a member of the retirement system as a condition of employment.

II. Any person who is a teacher on the date of establishment shall become a member as of that date, unless within ninety days thereafter, or ninety days after the termination of a leave of absence in effect on the date of establishment, he files with the board of trustees on a form prescribed by the board a notice of his election not to be included in the membership of the system and a duly executed waiver of all present and prospective benefits which he would otherwise have as a member. Any teacher who so elects not to become a member by filing such a waiver may thereafter apply for and be admitted to membership, but without credit for service rendered after the date of establishment and prior to the time he becomes a member, and without credit for service rendered prior to the date of establishment unless he becomes a member within the first year following the date of establishment.

III. The board of trustees may, in its discretion, accept as members any class of teachers whose compensation is only partly paid by the state or school district or who are serving on a temporary or other than per annum basis, and it may also, in its discretion, make optional with teachers in any such class their individual entrance into membership.

IV. The board of trustees shall require from any employer of teachers covered by the retirement system such information relative to name, title, compensation, date of birth and length of service of each of its teachers as the board may deem necessary.

V. If any member in any period of five consecutive years after last becoming a member is absent from service more than three years or if he withdraws his accumulated contributions, or becomes a beneficiary or dies, he shall thereupon cease to be a member. Notwithstanding the fore-

going, the board of trustees may continue the membership of a member while in the armed forces or other emergency wartime service of the United States approved by the board of trustees provided such member does not withdraw his accumulated contributions.

VI. No benefit under the retirement system other than return of contributions as provided in section 8 shall become payable to or on account of any member unless said member was in service as a teacher at the time of becoming eligible for benefits hereunder.

4. **Creditable Service.** I. With respect to service rendered prior to the date of establishment, each teacher in service on the date of establishment who becomes a member within one year thereafter shall file with the board of trustees on a form approved by the board a detailed statement of all service rendered by him in the state prior to the date of establishment, provided that the board of trustees may waive filing of such statement in the case of any teacher for whom it has a satisfactory service record. The board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall it allow credit for a period of absence without pay of more than a month's duration, nor shall more than one year of service be creditable for all service in a calendar year. Service rendered for the full normal working time in any year shall be equivalent to one year's service. Subject to the above restrictions and to such other rules and regulations as the board may adopt, the board shall verify, as soon as practicable after the filing of such statements of service, the service therein claimed.

II. Upon verification of the statements of service, the board shall issue a prior service certificate certifying to each member the length of service rendered prior to July 1, 1945 with which he is credited on the basis of his statement of service, and, in addition, if the teacher was a member of the existing New Hampshire teachers' retirement system as established by chapter 136, Revised Laws, the length of any service rendered from July 1, 1945 to the date of establishment of this system during which the teacher made contributions to said existing system. Credit for service rendered in the period from July 1, 1945 to the date of establishment of

this system that is not otherwise creditable under this section may be obtained to the extent provided, and subject to the provisions of section 12, paragraph I (d), hereof. So long as membership continues a prior service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance or modification of such certificate, request the board to modify or correct his prior service certificate. When membership ceases, a prior service certificate shall become void. Should the teacher again become a member, he shall enter the retirement system as a teacher not entitled to prior service credit except as provided in section 7 hereof.

III. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of his membership service since he became a member, or since he last became a member in the event of a break in membership, and also, if he has a prior service certificate which is in full force and effect, the period of service certified on his prior service certificate including the period of any service creditable under section 12, paragraph I (d), hereof.

IV. Anything herein to the contrary notwithstanding, any teacher who prior to the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approval by the board of trustees, and who is a teacher in service on the date of establishment, shall be entitled to prior service credit for the period of such military or other wartime service, provided he becomes a member of the retirement system within one year after the date of establishment.

**5. Service Retirement Benefits.** 1. Any member in service may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than thirty days nor more than ninety days subsequent to the filing thereof, he desires to be retired, provided the member at the time so specified for his retirement has attained age sixty and notwithstanding that during such period of notification he may have separated from service. Commencing July 1, 1951 the compulsory retirement age shall be age seventy, reduced by one year of age for each one-year period thereafter, until the compulsory retirement age becomes

age sixty-five. At the end of a school year all members who have then attained the compulsory retirement age shall be retired forthwith; provided that upon the recommendation of the superintendent of schools the member may be granted an extension in service year by year by the state board of education, but in no case beyond the end of the school year during which he attains age seventy.

II. Upon service retirement the member shall receive a service retirement allowance which shall consist of:

(a) A teacher annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity which, together with his teacher annuity, shall be equal to one-eightieth his average final compensation multiplied by the number of years of his creditable service not exceeding forty years.

**6. Disability Retirement Benefits.** I. Upon the application of a member in service or of his employer, any member who has ten or more years of creditable service may be retired by the board of trustees on a disability retirement allowance, not less than thirty nor more than ninety days subsequent to the filing of such application; provided that a physician or physicians designated by the board of trustees, after a medical examination of such member, shall certify, and the board shall find, that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent and that he should be retired.

II. Upon disability retirement the member shall receive a service retirement allowance if he has attained age sixty, otherwise he shall receive a disability retirement allowance which shall consist of:

(a) A teacher annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity which, together with his teacher annuity, shall be equal to ninety per cent of the service retirement allowance that would be payable on the basis of his average final compensation and creditable service at the time of his disability retirement if such retirement allowance ex-

ceeds twenty-five per cent of his average final compensation reduced by one and one-eighth per cent per year for any years of service that would be creditable upon completion of contributions under section 12, paragraph I (d), hereof; otherwise, a state annuity which, together with his teacher annuity, shall be equal to twenty-five per cent of his average final compensation less one and one-eighth per cent per year for any years of service that would be creditable upon completion of contributions under said section 12, paragraph I (d), but such allowance shall not exceed ninety per cent of the service retirement allowance that would be payable to him if he continued in service to age sixty without change in his average final compensation and without making any further contributions under said section 12, paragraph I (d).

III. Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who has not attained age sixty to undergo a medical examination by a physician or physicians designated by the board, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon. If any disability beneficiary who has not attained age sixty refuses to submit to such medical examination, his state annuity may be discontinued by the board of trustees until his withdrawal of such refusal, and if his refusal continues for more than a year, all rights in and to his state annuity may be revoked by the board.

IV. If the board of trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation at retirement, then his state annuity shall be reduced to an amount which, together with his teacher annuity and the amount earnable by him, shall equal his average final compensation at retirement. If his earning capacity is later changed, his state annuity may be further modified; provided that the new state annuity shall not exceed the amount of the state annuity originally granted nor an amount which, when added to the amount earnable by him together with his teacher annuity, equals his average final compensation at retirement.

**7. Restoration to Service.** If a disability beneficiary is restored to service and if his annual earnable compensation then, or at any time thereafter, is equal to or greater than his average final compensation at retirement, or if any other beneficiary is restored to service, his retirement allowance shall cease, he shall again become a member of the retirement system and he shall contribute thereafter at the same rate he paid prior to his retirement. Anything herein to the contrary notwithstanding, any credit for membership service and for any prior service on the basis of which his creditable service was computed at the time of his former retirement shall be restored to full force and effect; but if he is restored to membership after the attainment of age fifty, upon subsequent retirement he shall receive a retirement allowance based on his service as a member since his last restoration to membership, plus a retirement allowance equal to the retirement allowance on which he was retired at the time of his last retirement, except that the total retirement allowance upon subsequent retirement shall not be a greater proportion of his average final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

**8. Return of Members' Contributions.** If a member ceases to be a teacher except by death or by retirement the amount of his accumulated contributions shall be paid to him within two months after his written request therefor, provided that if the teacher ceases to be a member because of absence from service for more than three years in any period of five consecutive years his accumulated contributions shall be paid to him within two months after the board is notified to that effect. If a member dies before retirement, the amount of his accumulated contributions shall be paid to the person, if any, nominated by him by written designation duly acknowledged and filed with the board of trustees, if such person survives him, otherwise to the estate of such deceased member.

**9. Optional Allowances.** Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value under one of the optional forms named below; provided, however, that no

election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is the later, and if the member dies before such election becomes effective, the benefits payable on his account shall be the same as though his election had not been filed and he had not been retired.

Option 1. A reduced retirement allowance payable during the retired member's life, with the provision that at his death a lump sum equal in amount to the difference between his accumulated contributions at the time of his retirement and the sum of teacher annuity payments made to him during his lifetime shall be paid to the person, if any, nominated by him by written designation duly acknowledged and filed with the board of trustees if such person survives him, otherwise to the retired member's estate; or

Option 2. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement if such person survives him; or

Option 3. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death at one-half the rate paid to him and be paid for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement if such person survives him; or

Option 4. A reduced retirement allowance payable during the retired member's life with some other benefit payable after his death, provided that such other benefit shall be approved by the board of trustees.

**10. Administration.** I. The administration of this retirement system is hereby vested in a board of five trustees, two of whom shall be appointed by the governor with the advice and consent of the council. The other three trustees, to be known as *ex officio* trustees, shall be the commissioner of education, the state bank commissioner and the state treasurer. The two appointive trustees, to be known as the member trustees, shall be appointed from a panel of five names to be

selected by the New Hampshire State Teacher's Association from among the members of the system. A panel of five teachers shall be named by said association and filed with the secretary of state in advance of each such appointment. All vacancies shall be filled for the unexpired term and in like manner as the original appointments. Except as provided for the first appointees said trustees shall be appointed for a term of five years each and until their successors are appointed and qualified. The board of trustees shall elect from its membership a chairman and a vice-chairman.

II. The board of trustees shall establish such rules and regulations as it deems necessary for the proper administration of the retirement system.

III. The members of the board of trustees shall serve without compensation but shall be reimbursed for actual and necessary traveling and other expenses and disbursements incurred or made by them in the discharge of their official duties.

IV. Each trustee shall be entitled to one vote in the board of trustees. Three trustees shall constitute a quorum for the transaction of any business. Three votes shall be necessary for any resolution or action by the board at any meeting.

V. The board of trustees, with the approval of the state classification board and the governor and council, may employ a secretary and such other assistants as may be necessary. It may engage such actuarial, medical, and like services as may be required to transact the business of the retirement system. The compensation for such special services, and all other expenses of the board necessary hereto, shall be paid at such rates and in such amounts as the board shall approve.

VI. The board of trustees shall keep in convenient form such data as may be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

VII. The board of trustees shall keep a record of all its proceedings. It shall annually make a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the system, and shall file the same with the secretary of state.



VIII. Immediately after the establishment of the retirement system, and from time to time, as may be necessary by reason of changed conditions, the board of trustees shall adopt mortality and service tables for use in all calculations in connection with the system, and shall certify the rates of contribution payable under the provisions hereof. The board of trustees shall also determine from time to time the rate of regular interest for use in all calculations, with the rate of three per cent per annum compounded annually applicable from the date of establishment until changed by the board.

IX. On the basis of regular interest and the tables last adopted by the board of trustees, the actuary shall make annual valuations of the contingent assets and liabilities of the funds of the retirement system.

**11. Management of Funds.** I. The members of the board of trustees shall be the trustees of the several funds created hereby, and shall have full power to invest and re-invest such funds, subject to all the terms, conditions, limitations, and restrictions imposed by the laws of the state of New Hampshire upon domestic life insurance companies in the making and disposing of their investments; and subject to like terms, conditions, limitations and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the funds created hereby have been invested, as well as the proceeds of such investments. The state treasurer shall be the custodian of the several funds of the retirement system.

II. Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any personal interest in the gains or profits of any investment made by the board; nor shall any trustee or employee of the board, directly or indirectly, for himself or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the board; nor shall any trustee or employee of the board become an endorser or surety, or in any manner an obligor, for moneys loaned to or borrowed from the board.

**12. Method of Financing.** All of the assets of the retirement system shall be credited, according to the purpose for which they are held, among four funds, namely, the teacher annuity savings fund, the teacher annuity reserve fund, the

state annuity accumulation fund and the state annuity reserve fund.

I. Teacher Annuity Savings Fund. (a) The teacher annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their teacher annuities. Upon the basis of such tables as the board of trustees shall adopt and regular interest, the actuary shall determine for each member the proportion of earnable compensation which, when deducted from each payment of his prospective compensation earnable prior to his attainment of age sixty and accumulated at regular interest until his attainment of that age, is computed to provide at that time one-half of the retirement allowance to which he will be entitled at that age on account of his service as a member. Such proportion of compensation shall be computed to remain constant. The proportion so computed for a member age fifty-nine shall be used for a member who has attained a greater age before becoming a member of the retirement system. The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, on each and every payroll of such employer for each and every payroll period, the proportion of earnable compensation of the member so computed. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if a teacher was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per cent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the teacher annuity savings fund, of the member from whose compensation the deduction was made.

(b) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for

by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions herein provided as a condition of his membership.

(c) In addition to the contributions deducted from the compensation of members as hereinbefore provided, subject to the approval of the board of trustees, any member may redeposit in the teacher annuity savings fund by a single payment or by an increased rate of contribution an amount equal to the amount he previously withdrew from this system, or any part thereof; or any member who will have less than forty years of creditable service at retirement may, subject to the approval of the board and to such rules as the board may prescribe, deposit therein by a single payment or by an increased rate of contribution an amount computed to be sufficient to purchase an additional teacher annuity, which, together with his prospective retirement allowance, will provide for him a total retirement allowance not in excess of one-half of his average final compensation at age sixty. Interest at such rates as may be set from time to time by the board of trustees shall be allowed on such contributions and shall be used in determining the benefits payable from such contributions. In other respects, such additional amounts so deposited shall become a part of the member's accumulated contributions until retirement, at which time they shall be applied to provide a teacher annuity in addition to the retirement allowance otherwise payable at retirement.

(d) Any teacher whose prior service under section 4, paragraph II, hereof, does not include credit for service as a teacher which he performed since July 1, 1945 to the date of establishment or any part of said period may, by filing written notice with the board of trustees within one year after the date of establishment elect to deposit in the teacher annuity savings fund by a single payment, or in installments as may be approved by the board, an amount equal to the contributions, with three per cent per annum compound interest thereon, which he would have made to the existing New Hampshire teachers' retirement system as established by chapter 136, Revised Laws, if he had been a member of that system from July 1, 1945 to the date of establishment or part thereof. If such deposit is made in a single payment, the member's creditable prior service shall thereupon be increased by the

period of the aforesaid service. If such deposit is made in installments, on each anniversary of the date of establishment his creditable prior service shall be increased to include the number of years of the aforesaid service for which he has deposited an amount equal to the contributions as aforesaid, with three per cent per annum compound interest thereon, which he would have made during such years. Such amounts so deposited shall become part of his accumulated contributions, but if upon retirement there remains any such amount not theretofore applied to increased creditable prior service, such remaining amount will then be returned to the member in a lump sum.

(e) The accumulated contributions of a member withdrawn by him, or paid to his estate or to his designated beneficiary in event of his death, shall be paid from the teacher annuity savings fund. Upon the retirement of a member, his teacher annuity savings fund to the teacher annuity reserve fund.

II. Teacher Annuity Reserve Fund. The teacher annuity reserve fund shall be the fund in which shall be held the reserves on all teacher annuities in force and from which shall be paid all teacher annuities. If a beneficiary is restored to membership, his teacher annuity reserve shall be transferred from the teacher annuity reserve fund to the teacher annuity savings fund and shall be credited to his individual account therein.

III. State Annuity Accumulation Fund. (a) The state annuity accumulation fund shall be the fund in which shall be accumulated all reserves for the payment of all state annuities payable from contributions made by employers, and from which shall be paid all state annuities on account of members with prior service credit payable from such contributions.

(b) The contributions of each employer for benefits under the retirement system shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional percentage of such earnable compensation to be known as the "accrued liability contribution"; provided that any employer, other than the state, shall pay three-fifths of such total contributions, and two-fifths thereof shall be paid by the state; provided further

that in case of state employees the state shall pay both normal and accrued liability contribution. The rates per cent of such contributions shall be fixed on the basis of the liabilities of the system as shown by actuarial valuation. Until the first valuation, the percentage normal contribution rate shall be 4.43 per cent and the percentage accrued liability contribution rate shall be 5.72 per cent.

(c) Immediately after making each valuation during the period over which the accrued liability contribution is payable, the board of trustees shall determine the percentage normal contribution rate as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his compensation throughout his entire period of active service, would be sufficient to provide for the payment of any state annuity payable on his account from contributions by the employer. After the accrued liability contribution has ceased to be payable, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one per cent of the present value of the future compensation of all members.

(d) Immediately following the first actuarial valuation after the date of establishment, the actuary shall compute the rate per cent of the total annual earnable compensation of all members which is equivalent to three and one-half per cent of the total liabilities of the state annuity accumulation fund which is not dischargeable by the funds in hand to the credit of the state annuity accumulation fund and the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per cent originally so determined shall be known as the "accrued liability contribution" rate. The accrued liability contribution shall be discontinued as soon as the accumulated reserves in the state annuity accumulation fund equal the present value, as actuarially computed and approved by the board of trustees, of the total liabilities of the fund less the present value, computed on the basis of the normal contribution rate then in

force, of the prospective normal contributions to be received on account of all members.

(e) The total amount payable to the state annuity accumulation fund in each year shall be not less than the sum of the rates per cent known as the normal contribution rate and the accrued liability contribution rate, of the total compensation earnable by all members; provided, however, that the amount of each annual accrued liability contribution shall be at least three per cent greater than the preceding annual accrued liability payment, and provided that the aggregate payment by the employer shall be sufficient, when combined with the amount in the state annuity accumulation fund, to provide the state annuities payable out of the fund during the year then current.

(f) All state annuities payable on account of members with prior service credit shall be paid from the state annuity accumulation fund. Upon the retirement of a member without prior service credit, an amount equal to his state annuity reserve shall be transferred from the state annuity accumulation fund to the state annuity reserve fund.

(g) All interest and dividends earned on the funds of the retirement system shall be credited to the state annuity accumulation fund. The board of trustees annually shall allow regular interest on the individual accounts of members in the teacher annuity savings fund and on the mean amounts for the preceding year in the teacher annuity reserve fund and state annuity reserve fund, and shall transfer such amounts from the state annuity accumulation fund.

(h) The board of trustees may in its discretion transfer to and from the state annuity accumulation fund the amount of any surplus or deficit which may develop in the reserves held in the teacher annuity reserve fund or the state annuity reserve fund.

IV. State Annuity Reserve Fund. The state annuity reserve fund shall be the fund in which shall be held the reserves on all state annuities granted to members without prior service credit, and from which such state annuities shall be paid. If a beneficiary without prior service credit is restored to membership, his state annuity reserve shall be transferred from the state annuity reserve fund to the state annuity accumulation fund. If the state annuity of a disability bene-

ficiary without prior service credit is reduced as a result of an increase in his earning capacity, the amount of the reduction shall be paid annually into the state annuity accumulation fund during the period of such reduction.

V. Employer Contributions. (a) On or before the first day of October next preceding each regular session of the state legislature, the board of trustees shall certify to the comptroller the amounts which will become due and payable by the state during the biennium next following to the retirement system, and it shall be the duty of the comptroller in preparing the executive budget for each ensuing biennium to include in the budget the amounts so certified, which amounts shall be appropriated by the legislature. The board of trustees shall certify one-quarter of the amount appropriated for each year of the biennium to the state comptroller on or before the last day of September, December, March and June.

(b) The governor and council shall, on or before the first day of October, January, April and July draw a warrant for the state's contribution due the retirement system, and on the receipt of each such warrant the state treasurer shall immediately transfer to the retirement system the amount due. At the beginning of each year commencing on the first day of July the board of trustees shall certify to each employer other than the state the percentage rates of contribution due the system from each such employer, and shall assess upon each such employer such percentages of the earnable compensation of members in its employ, and it shall be the duty of the treasurer or other disbursing officer of each such employer to pay to the board of trustees by warrant such portion of the annual amount so assessed at such times and in such manner as the board of trustees may prescribe. Each such employer is hereby authorized to appropriate the sums necessary for the payment of such assessments.

**13. Rights and Privileges of Present Members of the New Hampshire Teachers' Retirement System.** I. On and after July 1, 1950 no new member shall be added to the membership of the existing New Hampshire teachers' retirement system as established by chapter 136, Revised Laws.

II. Any member of the existing system in service, or on an approved leave of absence, on July 1, 1950, shall become a member of this system as provided in section 3, paragraph II,

hereof, unless he files an election not to be included in the membership as therein prescribed. Anything in section 4, paragraph II, hereof to the contrary notwithstanding, if he becomes a member of this system within one year after July 1, 1950 the service certified on his prior service certificate as provided in said section shall be not less than the service as a teacher with which he was credited as a member of the existing system on July 1, 1950.

III. Any former member of the existing system who has withdrawn from teaching service in the public schools of New Hampshire but whose accumulated contributions in the existing system have not been returned to him may become a member of this system under the same conditions as he might have been reinstated in the existing system.

IV. At the time a member of the existing system becomes a member of this system, the teachers' retirement board of the existing system shall transfer to this system the amount standing to the member's credit in the existing system, consisting of the member's contributions and state or employer contributions credited to this account, together with all interest credited on such amounts, and thereupon the teacher's membership in the existing system shall terminate and he shall have no further interest therein. The amount derived from the teacher's contributions with interest credits shall, when transferred to this system, be credited to his individual account in the teacher annuity savings fund as accumulated contributions; provided that any part thereof derived from contributions made prior to July 1, 1945 shall be used at the time of retirement to provide a teacher annuity in addition to the retirement allowance otherwise payable at retirement. The amount derived from employer contributions with interest credits shall, when transferred to this system, be credited to the state annuity accumulation fund.

V. All retirement allowances to teachers retired under the existing system and in force on July 1, 1950 shall be paid thereafter from the state annuity accumulation fund created hereunder; provided that the part of any retirement allowance then in force which is provided from employer contributions shall be not less than the state annuity which would have been payable hereunder if the provisions hereof had been in force at the time of retirement and that no teacher shall get less



under the new system than is being received under the existing system.

VI. Within ninety days subsequent to July 1, 1950 the teachers' retirement board of the existing system shall transfer to the state annuity accumulation fund created hereunder cash and securities standing to the credit of the existing system having a value equal to the amount by which the total assets of the existing system then exceed the sum of the amounts standing to the credit of individual members of the existing system as of the date of such transfer. The residue of any appropriation by the state remaining on July 1, 1950 for its contributions to the existing system, except the amount estimated to be necessary on account of any teacher in active service remaining in the existing system, shall be transferred and credited to the state annuity accumulation fund created hereunder.

VII. If at any time there remain no teachers in active service who are members of the existing system, any cash and securities remaining to the credit of the existing system shall be transferred to the state annuity accumulation fund of this system as of a date, within ninety days thereafter, to be set by the teachers' retirement board of the existing system. The retirement allowances to or on account of retired teachers under the existing system being paid at the time of the transfer shall be continued thereafter and paid at their existing rates by this system, and the accrued liability contributions hereunder shall be adjusted to include any liabilities added to this system over and above the amount of assets so transferred. Upon the date of transfer of such assets the existing system shall be discontinued.

**14. Approved Public Academies.** I. Any approved public academy as defined in section 7-a of chapter 136, Revised Laws, which has teachers who become members of the existing New Hampshire Teachers' Retirement System as established by said chapter 136, or which prior to July 1, 1948, received the approval of the state board of education but failed to make its election within the period specified in said section 7-a, shall be an employer as defined in section 1, paragraph IV, hereof and the teachers of such academy shall become members of this retirement system as provided in sec-

tion 13 hereof, regardless of membership in said existing system.

II. The board of trustees of an approved public academy not included under the preceding paragraph may elect, by filing written notice with the board of trustees of this system, to participate in the retirement system with respect to its teachers, and upon such election and approval thereof by the board of trustees of this system, participation as an employer as defined in section 1, paragraph IV, hereof shall become effective as of the date set by the board of trustees of this system, and the teachers of such academy shall be teachers for the purposes of this system. Such participation shall be subject to the following terms and conditions:

(a) Membership in the retirement system shall be optional for teachers of such academy who are in the service of the academy on the date when participation becomes effective, and any such teacher who elects to become a member of this system within one year thereafter shall be entitled to a prior service certificate covering such period of previous service as shall be certified by such academy as creditable service rendered to such academy.

(b) Membership shall be compulsory for all teachers entering the service of such academy after the date participation becomes effective.

(c) The actuary of this retirement system shall compute the rates of contribution payable by teachers who become members under the provisions of this section, and shall compute the contributions payable annually by the academy on behalf of such members, including accrued liability contributions on account of service rendered by its teachers prior to the effective date of its participation in this retirement system. The rate of such accrued liability contributions shall be determined by an actuarial valuation of the accrued liability on account of the teachers of such academy entitled to credit for such service, in the same manner as the accrued liability rate was originally determined for other members, and such rate as shall thus be determined in the case of each such academy shall be the individual accrued liability rate applicable to that academy. The accrued liability contributions, subject to such adjustment as may be necessary on account of any additional prior service credits that may be awarded from time to time

to teachers of such academy, shall be payable in lieu of the accrued liability contribution payable on account of other teachers in this system. The contributions of the academy shall be certified by the board of trustees to the chief fiscal officer of the academy in the same manner provided in section 12, paragraph V (b), hereof, and as and to the extent provided under section 12, paragraph III (b), hereof, for employers other than the state, and the amounts so certified shall be a charge against the academy. Such chief fiscal officer shall pay to the board of trustees the amounts certified as payable under the provisions of this subsection, and the board of trustees shall credit such amounts when received to the appropriate funds of the retirement system. The expense of making such initial valuation shall be assessed against and paid by the academy on whose account it is necessary.

III. The participation of an approved public academy in this retirement system shall be irrevocable, but if an academy becomes financially unable to make its contributions, all state annuities of teachers in its service shall be reduced to such amounts as the contributions theretofore made on account of such annuities, together with future contributions of the academy, if any, will provide as determined by the board of trustees of this system on the basis of actuarial valuation.

**15. Exemption from Taxation and Execution.** The right of a person to a state annuity, a teacher annuity or a retirement allowance or to the return of contributions, or the state annuity, teacher annuity or retirement allowance itself, or to any optional benefit or any other right accrued or accruing to any person under the provision hereof, and the moneys in the various funds created hereby, shall be exempted from any state, county or municipal tax in the state, and shall not be subject to execution, trustee process, attachment, or any other process whatsoever, legal or equitable, and shall be unassignable except as herein specifically provided.

**16. Protection Against Fraud.** Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud the system as a result of such act, shall be fined not more than five hundred dollars, or imprisoned not more than seven years, or both. Should any

change or error in the records result in any member or beneficiary receiving from the system more or less than he would have been entitled to receive had the records been correct, the board of trustees shall have the power to correct such error, and to adjust as far as practicable the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

**17. Limitation on Membership.** This retirement system and the provision hereof shall not apply to any person benefited by or entitled to participate under any other provision of law which provides wholly or in part at the expense of the state for retirement benefits for teachers of the state, their widows, or other dependents.

**18. Separability Clause.** If any provisions hereof, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions hereof are declared to be severable.

**19. Bonds and Notes.** In order to provide the funds for the payment of the accrued liability contribution of the state, the sum of five million eight hundred thousand dollars (\$5,800,000), or so much thereof as from time to time may be necessary, is hereby appropriated and the state treasurer is hereby authorized under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding five million eight hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

I. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where interest and principal shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state.

II. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the

sum hereinbefore appropriated for the purposes of this chapter alone, and such sum or sums shall be deposited in the state annuity accumulation fund to cover the cost of the accrued liability, and may be invested with the other funds of the system.

III. Said bonds or notes and interest thereon shall be a charge upon the sinking fund provided by chapter 126 of the Laws of 1931.

IV. The secretary of state and the state treasurer shall keep account of said bonds or notes in the same manner as accounts are kept of other bonds or notes of the state.

V. The appropriation made hereunder shall be a continuing appropriation and shall not lapse.

**20. Public Bidding.** All bonds or notes except short term loans issued under the provisions of this chapter shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, and (3) to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

**2. Term of Office of Present Board.** At the effective date of this act the term of office of the members of the teachers' retirement board shall expire; provided, however, that Robert D. Bailey, a present member of the teachers' retirement board, shall be a member of the board of trustees until the expiration of his present appointive term, namely until November 29, 1950, and Daniel W. MacLean shall be a member of the board of trustees until the expiration of his present appointive term, namely until November 29, 1951. Said persons shall be commissioned as such trustees for the above mentioned terms. At the expiration of the term of office of said Robert D. Bailey a trustee shall be appointed for a term of four years and at the expiration of the term of office of said Daniel W. MacLean a trustee shall be appointed for a term of five years.

**3. Transfer of Powers and Duties, Equipment and Supplies.** All powers and duties now conferred by law upon the teachers' retirement board shall be transferred to the trustees of the New Hampshire teachers' retirement system hereby consti-

tuted, which trustees in addition to the duties imposed by this act shall be charged with the administration of the retirement system established under chapter 136, Revised Laws. All equipment and supplies purchased under the provisions of said chapter 136 on hand at the date of the passage of this act shall be turned over to the trustees and any balance of appropriation heretofore made for said teachers' retirement board shall be available for the trustees hereby constituted.

**4. Transfer of Personnel.** All personnel of the teachers' retirement board shall, at the effective date of this act, be transferred and become personnel of the trustees of the New Hampshire teachers' retirement system hereby constituted at the same classification rate of compensation and with the same rights and privileges as if there had been no transfer.

**5. Appropriation.** For the purpose of providing for the state's contribution in recognition of the public service rendered by the teachers in the public schools of this state, as hereinbefore provided, there is hereby appropriated for the normal contribution of the state annuity accumulation fund for the fiscal year ending June 30, 1951 the sum of \$130,388.73.

**6. Transfers Between Retirement Systems.** Amend section 1 of chapter 104 of the Laws of 1947 by inserting after the words and figures "chapter 136, Revised Laws," the following, or chapter 136-B, Revised Laws, as inserted by the Laws of 1950, so that said section as amended shall read as follows:

**1. Definitions.** The words "retirement system" as used in this act shall mean and include the following (1) state employees' retirement system as established by chapter 27-A of the Revised Laws, as inserted by chapter 183, Laws of 1945, and as including chapter 201, Laws of 1945, which extended the system to employees of political subdivisions, (2) New Hampshire teachers' retirement system as established by chapter 136, Revised Laws, or chapter 136-B, Revised Laws, as inserted by the Laws of 1950, (3) the firemen's retirement system as established by chapter 220, Revised Laws, and (4) the policemen's retirement system as established by chapter 221, Revised Laws.

**7. Takes Effect.** This act shall take effect as of July 1, 1950.

[Approved May 18, 1950.]

## CHAPTER 7.

AN ACT PROVIDING FOR THE CONSTRUCTION OF HOUSING  
FACILITIES FOR STUDENTS AND FACULTY AT THE  
UNIVERSITY OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Appropriation.** The sum of five hundred thousand dollars is hereby appropriated for the purpose of constructing, furnishing and equipping additional housing facilities for students and faculty at the University of New Hampshire. The appropriation hereby made and the sums made available for this project shall be expended by the trustees of the University under the direction of the governor and council, and the work shall be done in accordance with plans and specifications approved by said governor and council. All contracts for the purchase of equipment and the construction of all or any part of said buildings shall be let (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, and (3) to the lowest responsible bidder.

2. **Borrowing.** In order to provide funds for the appropriation made in section 1 hereof the trustees of the University are hereby authorized to request the governor and council to borrow upon the credit of the state not exceeding the sum of five hundred thousand dollars. Said borrowing shall be made under the provisions of section 3 hereof. Provided, however, that the trustees may petition the governor and council for permission to borrow said sum under the terms of a federal act known as "Housing Amendments of 1949." In case the governor and council shall grant permission for borrowing under the federal act, the provisions of sections 4 and 5 hereof shall apply.

3. **State Bonds or Notes.** The governor, upon receipt of a request from the board of trustees, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding five

hundred thousand dollars to be liquidated as provided in section 6. For that purpose the state treasurer is hereby authorized, when so directed by the governor and council, to issue bonds or notes in the name and on behalf of the state with such rates of interest, in such form and denominations, with such dates of maturity and other provisions as the governor and council may determine. Said bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state and the state treasurer shall keep accounts of such bonds or notes as are kept for other state bonds and notes. The state treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine to be most advantageous to the state. All such sum or sums thus realized shall be credited by the state treasurer to the University and shall be expended under the direction of the board of trustees for the aforesaid purpose.

**4. Federal Borrowing.** In case the governor and council shall authorize the borrowing to be made under the federal act, the trustees of the University, under the direction of the governor and council, are hereby authorized to borrow upon the credit of the state not exceeding the sum of five hundred thousand dollars and for that purpose may issue notes or other obligations in such forms and denominations, with such maturities, and subject to such terms and conditions as may be prescribed by the housing and home finance administrator as may be necessary in order to secure a loan from said administrator for housing under the terms of a federal act known as "Housing Amendments of 1949."

**5. Application for Borrowing.** If authority for federal borrowing is authorized the trustees of the University, under the direction of the governor and council, may make application to the housing and home finance administrator for a federal loan for the above-described housing facilities and are authorized to execute such documents and perform such duties as may be necessary to carry out the purposes of this act.

**6. Powers of Trustees.** The trustees of the University are authorized to maintain the facilities constructed hereunder and to collect rents therefrom. Such income shall be kept in a



separate fund from which shall be paid (1) maintenance of said facilities and other costs, (2) payment of annual interest on the federal or state borrowing, and (3) payment of installments of principal as the same become due, until such time as all obligations incurred by the University hereunder have been met and thereafter said facilities shall become part of the University property.

**7. Interpretation.** It is hereby declared to be the intent of this act that the funds for the appropriation hereunder shall be borrowed either through state notes or bonds or federal borrowing, but not under both methods of financing.

**8. Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1950.]

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## CHAPTER 8.

### AN ACT MAKING ADDITIONAL APPROPRIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Emergency Fund.** Any unexpended balance of the appropriation for the emergency fund for the executive branch provided by chapter 323, Laws of 1949, shall not lapse but shall be available for the same purposes until June 30, 1951.

**2. Additional Appropriation.** In addition to the funds appropriated for the emergency fund for the executive branch as provided by chapter 324, Laws of 1949, there is hereby appropriated the sum of one hundred thousand dollars to be expended for the purpose of said fund. The governor is hereby authorized to draw his warrant for the appropriation hereunder out of any money in the treasury not otherwise appropriated.

**3. Toll Road Patrol.** Amend chapter 295 of the Laws of 1947 as amended by chapter 303 of the Laws of 1949 by inserting after section 3 the following new section: **3-a. Highway Patrol.** It shall be the duty of the superintendent of state police to maintain an adequate police patrol for the maintenance of law enforcement and public safety on said toll road. On or before the first day of April of each year the highway

commissioner and superintendent of state police shall prepare an annual budget for the maintenance of said highway patrol. Said budget shall be approved by the governor with the advice and consent of the council. Said annual budget may be amended with said approval during any fiscal year if a change in conditions shall make such action necessary. The governor and council upon approval of the said budget shall direct the state highway commissioner to transfer from toll road receipts the amount of the budget to the appropriations of the state police department.

**4. State Police.** There is hereby appropriated for the state police department, in addition to funds already authorized, the sum of fifteen thousand two hundred and fifty dollars for the purpose of inaugurating the toll road patrol. The funds hereby appropriated shall be available for expenditure from the date of the passage of this act until June 30, 1951, and the governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated, provided that the sums hereby appropriated shall be a charge upon toll road receipts and the state general funds shall be reimbursed from said toll road receipts not later than June 30, 1951.

**5. Motor Vehicle Department.** In addition to funds already appropriated for the fiscal year ending June 30, 1951, there is hereby appropriated the sum of two thousand five hundred dollars for the motor vehicle department for travel expenses. The sum hereby appropriated shall be a charge upon the revenues of said department.

**6. The Practice of Medicine.** Amend section 10, chapter 250 of the Revised Laws by striking out the word "twenty" in the second line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows:

**10. Applicants.** The board shall admit to examination any applicant who pays a fee of thirty dollars and submits satisfactory evidence in writing, verified by oath if required, that he is more than twenty-one years of age, of good moral character, is a citizen of the United States or a Canadian province in which like privilege is granted to citizens of the United States, has completed satisfactorily two years' work in college, or has a preliminary education considered and accepted by the board as fully equivalent, has studied the treatment of human

ailments not less than four school years in a medical school maintaining at that time a standard satisfactory to the board, and has graduated from such school and has completed an internship, approved by the board, of not less than twelve months. The provisions of this section may be suspended in whole or in part by order of the board on account of war or other threatened or existing national calamity.

**7. Examination.** Amend section 13, chapter 250 of the Revised Laws, by striking out the word "twenty" in the fourth line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **13. License Without Examination.** The board may register and license any applicant therefor who is legally qualified to treat human ailments or practice medicine in any state or country whose requirements the board deems equal to those in this state, upon a payment of a fee of fifty dollars.

**8. Children's Study Home.** The appropriation provided by section 9 of chapter 279 of the Laws of 1947, and the authority to issue bonds or notes thereunder, relative to improvements at the children's study home, shall not lapse but shall be continued and made available for the purposes of said section for the period from the passage of this act until June 30, 1951.

**9. Extension of Appropriation.** Notwithstanding the provisions of section 13 of chapter 322 of the Laws of 1949, any unexpended balance of the appropriation made under the provisions of chapter 294 of the Laws of 1947 for replacement of a burned barn at Laconia state school shall not lapse on July 1, 1950 but shall be available for repairs to roofs of buildings at Laconia state school, to be expended by the trustees of said school under the direction of the governor and council.

**10. Transfer of Appropriation.** Notwithstanding the provisions of paragraph X of section 1 of chapter 322 of the Laws of 1949 or any other provision of said act, the governor and council may transfer and cause to be expended such part of the appropriation for Glencliff sanatorium provided in said paragraph X, to provide suitable quarters for custodial and maintenance employees, to provide adequate furnishings, to repair hydro-electric system and to repair existing flooring, as they deem to be necessary for the best interests of said institution.

**11. Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1950.]

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## CHAPTER 9.

AN ACT TO ESTABLISH A UNIFIED PERSONNEL SYSTEM FOR THE STATE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. System Established.** Amend the Revised Laws by inserting after chapter 27-A as inserted by chapter 183 of the Laws of 1945 the following new chapter:

### Chapter 27-B

**1. Personnel.** Within the department of administration and control there shall be a division of personnel under the executive direction of a personnel commission, for the recruitment, appointment, compensation, promotion, transfer, lay-off, removal, and discipline of state employees and for other incidents of state employment.

**2. Personnel Commission.** There shall be a personnel commission of three members, not more than two of whom shall be of the same political party, hereinafter called the commission, and a director of personnel, with the powers and duties hereinafter enumerated.

**3. Organization of Commission.** The members of the commission shall be appointed by the governor with the advice and consent of the council, and the first members shall be appointed within thirty days after the approval of this act. Of the members first appointed, one shall be appointed for a term of two years, one for a term of three years, and one for a term of four years. Thereafter each member shall be appointed for a term ending three years from the date of the expiration of the term for which his predecessor was appointed, and a person appointed to fill a vacancy shall be appointed for the unexpired term. Each member of the commission shall hold office until his successor is appointed and qualified. The gov-

ernor shall designate one member as chairman of the commission. No member of the commission shall be a member of any state or national committee of a political party, nor an officer or member of a committee in any partisan political club or organization, nor shall hold, or be a candidate for, any remunerative elective public office during his term of office and shall not be otherwise employed in any of the departments of the state government. One member shall be a member of the bar in the state. Members of the commission shall each be paid thirty-five dollars for each day devoted to the work of the commission, but not more than fifteen hundred dollars each in any one year. They shall be reimbursed for necessary travel in connection with their official duties.

**4. Removal.** The governor and council may remove any member of the commission only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231, Laws of 1947, as amended in the reorganization act of 1950.

**5. Meetings.** The commission shall hold at least one meeting each month which shall be open to the public. Two members of the commission shall constitute a quorum. The personnel director shall act as the secretary of the commission.

**6. Duties of Commission.** The commission shall:

I. Advise the governor and council on problems concerning personnel administration;

II. Make any investigation which it may consider desirable concerning the administration of personnel in the state service;

III. Make such rules and regulations, subject to the approval of the governor and council, as it shall deem necessary or proper to carry out its purposes;

IV. Subject to the approval of the governor and council, establish a classification plan, and from time to time make revisions thereof, for all positions in the state classified service; provided, however, that the first classification plan established hereunder shall include the principles recommended by the governor's advisory committee on reclassification, but in detail shall not be limited by said recommendations;

V. Review and consider the operation of any compensation plan adopted as provided herein, or as hereafter

adopted, and through its secretary transmit to the governor and council for their approval such changes as may from time to time be necessary to adapt the compensation plan to the changing needs of the state service;

VI. Make an annual report to the governor and council and such special reports and recommendations as they may request.

**7. Director of Personnel.** The commission, subject to the approval of the governor and council, shall appoint a director of personnel who shall be experienced in the field of personnel administration and who shall hold office during good behavior. The director may be removed by the governor and council only for cause and after being given a copy of the charges against him and an opportunity to be heard publicly on such charges before the governor and council.

**8. Salary.** The director shall receive such compensation as the governor and council may determine.

**9. Deputy.** The director, subject to the approval of the governor and council, shall designate an employee of the division to act as his deputy. The deputy shall exercise the duties of the office of the director while the latter is absent or unable from any cause to act.

**10. Duties of Director.** The director shall be the executive officer of the commission and, under its direction and control, supervise all its activities. It shall be his duty:

I. To apply and carry out the provisions of this chapter and the rules and regulations made as provided herein;

II. To attend the meetings of the commission and be responsible for keeping a record of the proceedings; he shall transmit to each member and to the governor a report of each meeting;

III. To establish and maintain a roster of all employees in the state service, in which there shall be set forth, as to each employee, the class title of the position held; the salary or pay; a record of all changes in class title, pay or status; and such other pertinent data as the commission shall direct;

IV. Within the limits of available appropriations and funds, to appoint under the provisions of the rules and

regulations made as provided herein, such employees of the division and such special assistants as may be necessary or desirable to carry out effectively the provisions of this chapter;

V. To foster and develop programs for the improvement of employee effectiveness, including training, safety, health and general welfare in cooperation with appointing authorities and others;

VI. To encourage and exercise leadership in the development of effective personnel administration within the several departments in the state service, and to make available the facilities of the division of personnel to this end;

VII. To investigate from time to time the operation and effect of this chapter and of the rules and regulations made hereunder and to report his findings and recommendations to the commission and to the governor and council;

VIII. To make an annual report of the work of the division, and such special reports as he may consider desirable, to the commission;

IX. To perform any other duties which the commission may consider necessary or desirable to carry out the purposes and provisions of this chapter;

X. To prescribe and submit to the commission for approval by said commission and by the governor and council, a code of rules for the classified service which shall provide for the classification, compensation, recruitment, selection, appointment, promotion, demotion, transfer, discipline, removal and lay-off of employees as well as for attendance, holidays, leaves of absence, merit rating, and the hearing of appeals from employees under any provision of this chapter or the rules and regulations made pursuant thereto;

XI. To consult with three classified employees who shall be designated by the state employees association, before submission of the code of rules for the classified service and at other times to foster and develop programs for improvement of personnel standards;

XII. Subject to reasonable regulations as to the time and manner of inspection, to make available for public inspection the records of the division, except such records as the rules may properly require to be held confidential;

XIII. To be responsible for the preparation, maintenance and revision of a position classification plan for all positions in the classified service, based upon similarity of duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same classification. After such classification plan has been approved by the commission, the director shall allocate the position of every employee in the classified service to one of the classifications in the plan;

XIV. To activate the compensation plan, provided herein, and from time to time to recommend to the commission such changes in the compensation plan as may be necessary to adapt it to the changing needs of state service;

XV. To develop a program for the recruitment, selection and placement of qualified applicants for positions in the state classified service;

XVI. To develop competitive examinations for classifications in the state classified service in programs for which funds are provided either in whole or in part by the federal government, as required by the federal standards for a merit system of personnel administration; such examinations may be developed for any other classifications.

**11. Hearing.** Any employee affected by the allocation of a position in a classification shall, after filing with the director of personnel a written request for reconsideration thereof, be given a reasonable opportunity to be heard thereon by the director; any employee who is dissatisfied with the ruling of the director shall have a right of appeal to the commission.

**12. Appeal.** Any employee who is dismissed or demoted or who is suspended for more than thirty days in any one year, may, within fifteen days after such dismissal, demotion, or suspension, appeal to the commission for review thereof. Upon such review, both the appealing employee and the appointing authority whose action is reviewed shall have the right to be heard publicly. At the hearing of such appeals, the commission may establish such reasonable rules of procedure and for the admission of evidence as it deems advisable. If the commission finds that the action complained of was taken by the appointing authority for any political, re-



ligious or racial reason, the employee shall be reinstated to his former position or a position of like seniority, status and pay, without loss of pay for the period of his suspension. In all cases, the commission may reinstate an employee or otherwise change or modify any order of the appointing authority, or make such other order as it may deem just. Any action or decision taken or made hereunder shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws.

**13. Duties of State Officers and Employees.** All officers and employees of the state shall comply with and aid in carrying out the provisions of this chapter and the rules and regulations made hereunder. Any employee in any department may be excused from his regular duties for the time required to assist in the preparation and rating of tests when designated by the director of personnel.

**14. Status of Present Employees.** No employee in the state service on the effective date of this chapter shall be required to take a written examination to remain in his present position; provided, however, that this provision shall not apply to those employees serving in a provisional capacity in positions in programs where federal standards for a merit system of personnel administration are applicable. No employee in the state classified service on the effective date of this chapter shall lose accumulated vacation time or sick leave.

**15. Certification of Payroll Manifests.** No state auditing or disbursing officer shall make or approve or take any part in making or approving any payment for services to any person holding a position in the state classified service unless the payroll manifest or account of such pay bears the certification of the director of personnel, or of his authorized agent, that the person named therein has been appointed and employed in accordance with the provisions of this chapter and the rules and regulations made hereunder. The director for proper cause may withhold certification from an entire payroll or from any specific item or items therein.

**16. Political Activities Prohibited.** No person shall be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his political opinions, religious beliefs

or affiliations, or race; provided, however, that nothing herein shall require the appointment or prevent the dismissal of any person who advocates the overthrow of the government by unconstitutional and violent means. No person shall use or promise to use directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration. No employee in the state classified service shall hold any remunerative elective public office, or have other employment, either of which conflicts with his employment. Determination of such conflict shall be made by the commission after consultation with the appointing authority.

**17. Penalty.** If any person in state service, including members of the commission, shall wilfully violate any provision of section 16 his position of service with the state shall be declared vacant by the governor and council.

**18. Classified Service and Exemptions.** The classified service to which this chapter shall apply shall comprise all positions in the state service now existing or hereafter established, except:

- (a) Those elected by popular vote or by the legislature;
- (b) The members of the state tax commission;
- (c) Those appointed and commissioned by the governor or the governor and council;
- (d) The chief executive officer of each department and institution and independent agency;
- (e) The deputy of any department head provided for by special statute; provided, however, that the deputy of any department or agency which receives federal grants-in-aid shall be included in the classified state service;
- (f) Those officers whose salary is specified or provided by special statute;
- (g) Personnel of the University of New Hampshire.

**19. Adoption of Plan.** Upon the approval of the plan for the classification of salaries and positions by the governor and council as provided in paragraphs IV and V of section 6, they

shall declare such plan to be adopted and on the date of such declaration all officers and employees in the state service affected thereby shall use the titles, if any, assigned to them and they shall immediately receive such pay as the director of personnel shall determine, in conformity with said plan, provided, however,

I. That no employee shall receive less than the minimum salary established by said plan for his position;

II. That no employee shall receive less total compensation than he was receiving at the time of the declared adoption of said plan;

III. That no new employee shall receive more than the maximum salary established by said plan for his position; and

IV. That the salaries within the minimum and maximum range shall be equitably determined.

And provided further that the compensation determined for each classified state employee shall be effective as of July 1, 1950 and the necessary retroactive payments shall be made to carry out this provision.

**2. Application of Statutes.** As of the date when the governor and council shall declare the adoption of the classification plan as provided herein the classification plan board created by chapter 145 of the Laws of 1943, as amended, shall be abolished; said chapter 145 as amended by chapter 207, Laws of 1945, chapters 126 and 262 of the Laws of 1947 and section 1, chapter 5 of the Laws of 1949 are hereby repealed; sections 21 and 22 of chapter 27 of the Revised Laws are hereby repealed; sections 19 and 20 of chapter 27 of the Revised Laws as amended by chapter 196 of the Laws of 1947 are hereby repealed; chapter 89 of the Laws of 1947 is hereby repealed; and all other acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency; provided, however, that nothing herein shall be construed as repealing the provisions of section 20-a of chapter 27 of the Revised Laws, as inserted by chapters 109 of the Laws of 1947; and nothing herein shall be construed as repealing the provisions of section 3 of chapter 243 of the Laws of 1947 relative to additional compensation for long service employees who shall be entitled to such compensation in addition to their salaries as classified under the provisions of this act.

**3. Appropriations for Fiscal Year.** All appropriations made by the legislature for the fiscal year ending June 30, 1951, carrying special amounts for the salaries of persons in the state classified service affected by this act shall, as of the date of declaration of adoption by the governor and council provided for by section 19, be deemed to be appropriations made for the activities of the particular persons in accordance with the classification plan.

**4. Appropriation; Personnel Division.** The sum of thirty thousand dollars is hereby appropriated for the personnel division for the purposes of this act for the fiscal year ending June 30, 1951. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

**5. Appropriation; Salaries.** The sum of \$1,273,781.30, or so much thereof as may be necessary, is hereby appropriated for additional amounts for salaries of persons in the state classified service, under this act, for the fiscal year ending June 30, 1951; the governor is authorized to draw his warrant for \$968,887.70 of said sum out of any money in the treasury not otherwise appropriated; the governor is hereby authorized to cause to be transferred from the special funds of the following agencies, departments and commissions, or their respective successors under the reorganization act of 1950, the following sums needed to cover said additional salaries of employees of said agencies, departments and commissions; and to draw his warrant for said purposes:

Aerial tramway .....	\$3,792.80
Aeronautics commission .....	1,054.90
Barbers board .....	821.70
Board of education	
technical institutes .....	8,514.00
Fish and game .....	46,956.80
Forestry .....	82.50
Recreation .....	17,924.50
Hairdressers board .....	524.70
Highway .....	175,095.80
Keene teachers college .....	15,585.90
Motor vehicle .....	13,758.80
Plymouth teachers college .....	13,508.00
Prison industries .....	5,705.70

Racing commission .....	506.00	
Treasury (highway) .....	1,061.50	
	<hr/>	\$304,893.60

Provided, however, that the governor is further authorized to increase or reduce the amount transferred from any special fund, as necessary to fulfill the needs of the personnel system, but such transfers from special funds shall not exceed the total of \$304,893.60.

The governor is hereby authorized to cause to be transferred such sums from federal funds as are or may become available to the respective agencies, departments and commissions to cover said additional salaries of employees of said agencies, departments and commissions, and he shall have authority to designate the agency or agencies to apply for, receive and expend said federal funds for the purposes of this act.

**6. Continuity.** Pending the declaration of adoption of the plan for classification as provided herein, the governor is authorized to do all things necessary to assure continuance of the present system of employment and compensation of employees.

**7. Takes Effect.** This act shall take effect upon its passage, except as otherwise provided herein.

[Approved May 18, 1950.]

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## CHAPTER 10.

### AN ACT RELATIVE TO CONSTRUCTION, RECONSTRUCTION AND BETTERMENT OF PRIMARY AND SECONDARY HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of one million dollars is hereby appropriated for the purpose of the construction and reconstruction of primary and secondary highways in the state. The sum hereby appropriated shall be expended under the direction of the highway department.

**2. Bond Issue Authorized.** In order to provide the funds for the payment of the appropriation authorized by section 1,

the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding one million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

**3. Form; Proceeds of Sale.** The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may sell such bonds or notes under the direction of the governor and council provided all such bonds or notes shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest responsible bidder. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the sum hereinbefore appropriated for the purposes of this act alone.

**4. Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor showing the number and amount of each bond or note, the time of countersigning, the time when payable, and the date of delivery to the treasurer. The treasurer shall keep an account of each bond or note, showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of sale, and the time when payable.

**5. Short-Term Notes.** Prior to the issuance of the bonds hereunder, and in anticipation of the collection of revenue hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of the bonds hereunder, provided, however, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of one million dollars.

**6. Motor Vehicle Road Toll.** Beginning with the final payment of the bonds provided for by chapter 41 of the Laws of 1929, as amended by chapter 151 of the Laws of 1933, chapter 1, Laws of 1936, section 11, chapter 137, Laws of 1939, chapter 239, Laws of 1947, and chapter 198, Laws of 1949, the additional road toll of one cent per gallon, provided for in section 8 of said chapter 41, shall be continued in full force and effect until the final payment of the bonds and notes provided for by this act. Such additional motor vehicle road toll shall be collected in the manner now provided. A separate account of such additional motor vehicle road toll shall be kept by the state treasurer to which he shall add from time to time, at the direction of the governor acting with the advice and consent of the council, such sums from the separate account provided for by said chapter 41 as are not reasonably necessary for the payment of the bonds provided for by said chapter. The funds so held shall be used at the discretion of the governor, with the approval of the council, to pay the interest and principal of the bonds and notes provided for by this act. To the extent that said funds are insufficient, at any time, to pay the interest and principal due on any bonds and notes provided for by this act the governor shall draw his warrant upon the general highway fund for the payment thereof. Upon the final payment of the bonds and notes which may be issued under the authority of this act the governor and council shall forthwith by proclamation terminate the further collection of the additional motor vehicle road toll hereby provided.

**7. State Office Building.** Amend section 2 of chapter 322 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **2. Additional Appropriation.** The sum of five hundred seventy-five thousand dollars is hereby appropriated for the purpose of the construction, equipment and furnishing of a new state office building.

**8. Expenditure of Funds.** Amend section 3 of chapter 322 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **3. Expenditures.** The appropriations made for the purposes mentioned in section 1 and the sums made available for those projects shall be expended by the trustees, commission, or department head of the institutions and departments referred to therein, provided that all contracts for projects and plans and specifications therefor shall

be submitted to the governor and council and approved by the governor and council prior to the awarding of the contracts. The appropriation made and the sum made available for the project referred to in section 7 above shall be expended by the governor and council.

**9. Bonds or Notes.** Amend section 8 of said chapter 322 by striking out the last sentence of said section, so that said section as amended shall read as follows: **8. Payments.** The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126 of the Laws of 1931 as amended.

**10. Payments.** Amend chapter 322 of the Laws of 1949 by inserting after section 8 the following new section: **8-a. Sinking Fund.** The state treasurer shall, during the life of any notes or bonds issued to provide funds for the appropriation made in section 2, establish and keep a separate account to be known as the State Office Building Sinking Fund Account into which shall be paid such amounts as the governor and council may determine to be proper and reasonable charges against departmental appropriations for space occupied in said building. There shall also be paid into said fund any premium received in connection with the sale of said bonds. In each fiscal year after the issuance of bonds or notes for said section 2, the amount so paid into said fund shall be not less than one-twentieth of the principal amount of bonds issued hereunder, plus interest requirements. The funds in said account shall be applied to the payment of the interest and principal of the said bonds and notes issued for the construction of said new state office building, and costs incident to said bond or note issue.

**11. Lapse of Appropriation.** The appropriation made under the provisions of section 2 of chapter 322 of the Laws of 1949 shall not lapse as provided by that statute but shall be available for expenditure until July 1, 1953.

**12. Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1950.]



## CHAPTER 11.

AN ACT CORRECTING AN ADMINISTRATIVE DIFFICULTY IN THE LAW  
RELATING TO THE GROSS WEIGHT OF MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Gross Weight of Motor Vehicles.** Amend paragraph IV of section 37, chapter 119, Revised Laws, as amended by chapter 11 of the Laws of 1947 and chapter 104 of the Laws of 1949, by striking out said paragraph and inserting in place thereof the following: IV. A combination of vehicle and trailer or semi-trailer whose gross weight is more than fifty thousand pounds.

**2. Prohibited Gross Weights.** Amend section 37, chapter 119 Revised Laws, as amended by chapter 11 of the Laws of 1947 and chapter 104 of the Laws of 1949 by inserting after paragraph IV, as hereinbefore amended, the following new paragraph: V. A vehicle of which any single axle shall bear a gross load in excess of twenty-two thousand pounds.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1950.]

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## CHAPTER 12.

AN ACT DEFINING CERTAIN TERMS UNDER THE FISH AND GAME  
LAWS AND RELATING TO LOBSTERS AND CRABS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fish and Game Laws.** Amend chapter 245 of the Revised Laws by inserting after section 42 the following new section: **42-a. Definition.** The words "waters under jurisdiction of this state" as used in this chapter shall include all coastal waters within the following described line: Beginning at the Massachusetts-New Hampshire boundary line between the towns of Salisbury, Massachusetts and Seabrook, New Hampshire; thence extending easterly to a line known as the line dividing the high seas from inland waters shown as a

broken purple line on the United States Coast and Geodetic Survey of the East Coast, Portsmouth to Cape Ann (October 1948); thence following said line in a northerly direction to a point where it intersects the Maine-New Hampshire boundary line extended easterly.

**2. Requirements; Fees.** Amend section 42 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: **42. License.** No person shall at any time place, set, keep, maintain, supervise, lift, raise or draw in, from any waters under the jurisdiction of this state, or in any way aid or assist in so doing, any pot, trap, warp, or any other device used in taking lobsters or crabs without first procuring a special license so to do; nor during the time from sunset to one hour before sunrise. Such license shall be issued by the director, under such rules and regulations and in such form as may be prescribed by him. The fee for such license shall be ten dollars, provided that if the person does not take lobsters or crabs for the purpose of selling the same and does not use more than ten traps, the fee for such limited license shall be three dollars. The fees and fines collected under the provisions of this subdivision and the expense of enforcing same shall be accounted for separately by the director.

**3. Violations.** Amend section 43 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: **43. Revocation; Suspension.** Persons convicted for violation of the provisions pertaining to taking lobsters and crabs shall forfeit their license for not more than one year in the discretion of the director. If an appeal is taken the license shall be suspended pending the disposition of said case and for not more than one year thereafter from date of conviction by the higher court. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction. The director may order any license to be suspended or revoked, after due hearing, for any cause that he may deem sufficient. Any person whose license has been revoked or suspended shall not accompany any

licensed fisherman or assist him in any way while he is engaged in taking or transporting lobsters or crabs.

**4. Inspection.** Amend section 43-a of chapter 245 of the Revised Laws as inserted by chapter 278, Laws of 1947, by adding at the end thereof the following: Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer, so that said section as amended shall read as follows: **43-a. Removal of Devices.** Any person whose license has been suspended shall within five days remove from the waters all lobster traps, pots, cars, or any device used in taking or storing of lobsters and crabs. Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer.

**5. Definition of Resident.** Amend section 44 of chapter 245 of the Revised Laws by inserting after the word "years" in the fourth line the word, immediately, so that said section as amended shall read as follows: **44. Who May Take Lobsters and Crabs.** No person shall take lobsters or crabs from the waters of New Hampshire unless he is a bona fide resident of the state, and no license shall be issued to a person unless he shall furnish proof that he has resided within the state for at least five years immediately preceding this application for a license and has not during that time claimed a residence in any other state for any purpose.

**6. Female Lobsters.** Amend section 45 of chapter 245 of the Revised Laws by striking out the words "with a distinctive mark" and inserting in place thereof the following: by a V notch not less than one-half inch in width at the widest point, in the middle flipper of the tail, so that said section as amended shall read as follows: **45. Distinctive Mark.** Any

person taking any female lobster carrying spawn shall immediately mark said lobster by a V notch not less than one half inch in width at the widest point, in the middle flipper of the tail, and return said lobster to the water. The director shall furnish to any person requesting the same a punch for the purpose of making such distinctive mark.

**7. Prohibitions.** Amend chapter 245 of the Revised Laws by inserting after section 46 the following new section: **46-a. Female Lobsters.** Whoever takes, buys, sells or has in his possession any female lobster bearing eggs or marked as specified in section 45 shall be fined ten dollars plus not more than ten dollars for each such female lobster involved, or imprisoned for not more than ninety days or both. But a person who takes any such lobster and immediately returns it alive to the waters from which it was taken shall not be subject to such penalty. This section shall not apply to lobsters spawning in cars or pounds if they are, upon discovery, immediately marked and liberated alive in the coastal waters, nor shall anything herein contained be construed as prohibiting the director or his agents from possessing and transporting female lobsters carrying spawn, or having the distinctive mark, for propagation purposes.

**8. Possession.** Amend section 47 of chapter 245 of the Revised Laws as amended by chapter 114 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **47. Legal Length.** No person shall buy, sell, give away or expose for sale, or possess for any purpose, any lobster less than three and one-eighth inches in length alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. Whoever ships, transports, carries, buys, gives away, sells or exposes for sale, or possesses for any purpose, lobster meat after the same shall have been taken from the shell without the tail meat being whole and intact, and of a length of less than four and one-quarter inches when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to the penalty imposed for violation of this section.

**9. Cooked Lobster.** Amend chapter 245 of the Revised Laws by inserting after section 47 the following new section: **47-a. Exceptions.** Nothing in the provisions of section 47 shall be construed to prevent hotels or restaurants serving cooked lobster to guests for immediate consumption as food from chopping meat taken from lobster of legal length in reasonable quantities for current use; nor shall said section prevent an individual from chopping lobster meat for immediate consumption for himself, his family or his guests.

**10. Equipment.** Amend section 49 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: **49. Marking Pots and Traps.** No person shall set any pot or trap for any lobster or crab without having the pot or trap and buoy attached, plainly carved or branded with his last name and initials. No person shall use or set in any tidal waters any car or other contrivance for holding or keeping lobsters or crabs without having such car or contrivance plainly marked with the last name and initials carved or branded thereon. Any pots, traps, cars or other contrivance used to catch or store lobsters or crabs in violation of any provision hereof and any lobsters or crabs therein shall be forfeited.

**11. Possession of Pots and Traps.** Amend chapter 245 of the Revised Laws by inserting after section 49, as hereinbefore amended, the following new section: **49-a. Requirements.** On and after March 1, 1951 no person shall possess on the coastal waters of the state of New Hampshire or use therein any lobster trap or pot unless it shall have at the bottom on each side thereof an opening not less than one and five-eighth inches wide, which such opening shall at all time be maintained clear and undiminished.

**12. Penalties.** Amend section 52 of chapter 245 of the Revised Laws as amended by section 2 of chapter 278 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **52. Prohibition.** If a conservation officer shall inform a person that his boat and its contents are about to be inspected, it shall be unlawful for said person to throw overboard or destroy any fish, lobsters, crabs, shellfish or any pot, trap, car, contrivance, bag, box or other receptacle used for storing or catching lobsters or crabs, or the contents

thereof, or any other article or thing, or to cut loose any article or thing which may be dragging beside said boat, prior to such inspection. If any person shall refuse to stand by for such inspection he shall be subject to arrest. Any person violating the provisions of this section shall be fined not exceeding one hundred dollars or imprisoned for not exceeding sixty days, or both, and the director shall suspend the license of such person to take lobsters and crabs for not exceeding one year.

**13. Wholesale Lobster Dealers.** Amend chapter 245 of the Revised Laws by inserting after section 53 the following new section: **53-a. License.** No person, firm or corporation shall engage in a wholesale trade in lobsters without first having procured from the director a written license therefor. The fee for a license, designated as a wholesale lobster dealer's license, shall be twenty-five dollars and shall entitle the holder to buy and sell and transport lobsters in wholesale trade within the state and to ship the same within and outside the state. Any person, firm or corporation licensed under the provisions of this section that maintains any facility for the buying of lobsters at any point other than his or their principal place of business, shall procure from the director for each such facility a supplemental license and the fee therefor shall be three dollars. Any person, firm or corporation that distributes lobsters or parts thereof, commercially, in bulk lots of more than fifty pounds for resale or processing and consumption by others than the purchaser, shall be classified as a wholesale dealer. Any dealer licensed under the provisions of this section, who buys lobsters in excess of fifty pounds at one time, shall record the license number of the seller and shall keep such record for one year, which record shall be available for the inspection of any conservation officer of the department.

**14. Forfeiture of Licenses.** Amend chapter 245 of the Revised Laws by inserting after section 53-a the following new section: **53-b. Revocation.** Any person holding a license under sections 53 or 53-a who is convicted of a violation of the laws relating to lobsters and crabs shall forfeit such license for not more than one year from the date of conviction in the discretion of the director.

**15. Change in Penalties.** Amend section 56 of chapter 245 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **56. Penalties.** Any person who violates a provision of this subdivision shall be penalized as follows: For a violation of sections 43-a, 44, 45, 46, 46-a, 49, 49-a, 50, 53 or 53-a, a fine of not more than fifty dollars for each offense; for a violation of sections 42, 43, or 48, a fine of not more than fifty dollars or imprisoned for not more than thirty days or both; for a violation of section 47, a fine of five dollars and not more than five dollars additional for each lobster or parts thereof involved, or imprisoned for not more than ninety days, or both.

**16. Appropriations.** There is hereby appropriated for the administration of sections 2 through 16 of this act the sum of six thousand five hundred dollars for the fiscal year ending June 30, 1951. Said sum appropriated shall be a charge upon the general fund of the state.

**17. Saving Clause.** Nothing herein contained shall in any manner affect the prosecution of any offense, relative to lobsters and crabs, committed prior to the passage of this act which said offense may be prosecuted or prosecution therefor continued under the provisions of sections 42 to 56 of chapter 245 of the Revised Laws as they existed prior to the passage of this act.

**18. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 18, 1950.]

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## CHAPTER 13.

### JOINT RESOLUTION FOR THE APPOINTMENT OF A COMMISSION TO STUDY FUTURE NEEDS OF THE UNIVERSITY OF NEW HAMPSHIRE.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT a special commission of five members shall be appointed by the governor, with the advice and consent of the council, for the purpose of investigating and studying the future policy

and financial needs of the University of New Hampshire as outlined in chapter II of the report of the subcommittee on education, under a directive from the New Hampshire reorganization commission, submitted to the general court at this special session. Said special commission, organized hereunder, shall report to the legislature, not later than January 15, 1951, the results of its investigations and shall submit therewith drafts of legislation if any changes are recommended. Said commission shall serve without compensation but may be reimbursed for expenses incurred in the performance of duties hereunder. The sum of five hundred dollars is hereby appropriated for the purposes of this resolution and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 11, 1950.]

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## CHAPTER 14.

### JOINT RESOLUTION MAKING APPROPRIATION FOR EXPENSES IN CONNECTION WITH FOREST FIRES.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of \$8,934.71 is hereby appropriated to pay for services of the Conway fire department, services of the North Conway fire department, and services and expenses of firemen rendered in the fires in Brownfield, Maine, in Porter, Maine and in Fryeburg, Maine in November 1947. The sum hereby appropriated shall be expended under the direction of the forest fire warden, Ledorique Savard, with the approval of the selectmen of the town of Conway and the forestry division of the forestry and recreation department. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 18, 1950.]



## CHAPTER 15.

JOINT RESOLUTION IN FAVOR OF CLARENCE A. DUBOIS AND  
OTHERS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT Clarence A. DuBois, sergeant-at-arms of the house, be allowed the sum of \$182; that John S. Ball, sergeant-at-arms of the senate, be allowed the sum of \$162.50; that Cyril J. Fretwell, clerk of the house, be allowed the sum of \$415; that Benjamin F. Greer, clerk of the senate, be allowed the sum of \$332; that Cyril J. Fretwell, clerk of the house, receive the sum of \$75 and Benjamin F. Greer, clerk of the senate, the sum of \$50; said sums for services in preparing the permanent journal; said sums to be paid upon completion of page proofs of the journals and same are in the hands of the secretary of state; that Robert L. Stark, assistant clerk of the house, be allowed the sum of \$320; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$280; that Frank N. Jordan, custodian of mail and supplies of the house, be allowed the sum of \$180; that John Twombly, Sherman L. Greer, Florence J. Danforth and Mabel L. Richardson, doorkeepers of the house be allowed the sum of \$105 each; that Frank D. Gay, doorkeeper of the senate, be allowed the sum of \$110; that Oney Russell, warden of the coat room of the house, be allowed the sum of \$105; that Leon R. Hayes, assistant warden of the coat room of the house, be allowed the sum of \$105; that Carl E. Wallace, library messenger of the house, be allowed the sum of \$105; that Lloyd Fogg, telephone messenger of the house, be allowed the sum of \$105; that Russell Bickford, telephone messenger of the senate, be allowed the sum of \$110; that Rene Dufort, messenger of the senate, be allowed the sum of \$110; that Earl Pollard, assistant messenger of the senate, be allowed the sum of \$110; that Arthur L. Carpenter, speaker's page, be allowed the sum of \$105; that James Martin, page, be allowed the sum of \$115; that John W. Todd, page, be allowed the sum of \$105; that Frank Burr, page, be allowed the sum of \$105; that Thurber Jewett, page, be allowed the sum of \$105; that Edward Baker, page, be allowed the sum of \$105; that Alice V. Flanders, house stenographer, be allowed the sum of \$216; that Bessie A. Callaghan,

senate stenographer, be allowed the sum of \$198; that Grace J. White, senate stenographer, be allowed the sum of \$176; that Margaret L. Ford, house stenographer, be allowed the sum of \$126; that Helene H. Wester, house stenographer, be allowed the sum of \$126; that Helen Y. Andrews, judiciary stenographer, be allowed the sum of \$184; that Marion C. Colby, appropriations stenographer, be allowed the sum of \$176; that Esther T. Hurd, speaker's stenographer, be allowed the sum of \$149.50; that Alice P. Boutwell, mileage clerk, be allowed the sum of \$162.50; that Palmer C. Read, judiciary messenger, be allowed the sum of \$110; that Eugene C. Williams, appropriations messenger, be allowed the sum of \$110; that Gordon M. Tiffany be allowed the sum of \$1,832.50 for professional services, the sum of \$204.95 for expenses, and \$1,000 as legislative counsel; that C. Murray Sawyer be allowed the sum of \$1,820 for professional services and the sum of \$127.20 for expenses; that Winslow H. Osborne be allowed the sum of \$2,000 for professional services, the sum of \$12.50 for expenses, and \$500 as legislative counsel; that the superintendent of state buildings and grounds be allowed the sum of \$167.63 for extra janitor services; that each of the following be allowed the sum opposite his name for mileage on official business of the house on May 8, 1950: Blaylock Atherton, \$6.74; George Boynton, \$4.58; Kenneth Bell, \$8.15; Oren Henderson, \$6.50; Ansel Sanborn, \$8.65; Joel S. Daniels, Sr., \$3.90; Elmer Tilton, \$5.54; Oscar W. Billings, \$9.75; Tony O. Russell, \$7.94; Edmond J. Stapleton, \$3.20; Marjorie M. Greene, \$0.40; Maude B. Richards, \$7.46; George B. Currier, \$17.95; Dean Merrill, \$8.25; David Barry, \$7.10; Maurice H. Cummings, \$7.46; Louis W. Paquette, \$7.04; Gardner C. Turner, \$8.50; Rae S. Laraba, \$8.25; Fred Wadleigh, \$6.10; Charles Holden, \$10.10; Arthur L. Hamilton, \$13.75; Mabel Thompson Cooper, \$6.92; Edith Banfield, \$8.25; Burritt H. Hinman, \$16.75; Glenn L. Wheeler, \$6.02; Winifred G. Wild, \$12.20; James B. Perry, \$8.75; A. Kenneth Hambleton, \$3.80; C. Murray Sawyer, \$0.50; Laurence Pickett, \$8.65; that each of the following be allowed the sum opposite her name for secretarial services: Louise McGrail, \$56.25; Ann Rathbun, \$76.88; Ann Duncklee, \$71.87; Katherine Dort, \$3.75; Carol Sturtevant, \$4.38; Nathalie Douillette, \$73.74; that Marion Alexander, legislative assistant, be allowed the sum of \$100.

The legislative service in the office of the attorney-general, provided by chapter 56 of the Laws of 1947, shall prepare for the secretary of state an index of laws passed at this special session.

That a sum not to exceed \$4,000 be appropriated to be expended by the director of purchase and property with the advice and consent of the speaker of the house of representatives and the chairman and clerk of the committee on appropriations for the purpose of improving the public address system and appurtenant facilities in the hall of the house of representatives.

The above mentioned sums shall be a charge on the appropriation for expenses of the legislature.

[Approved May 18, 1950.]

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### Note

In addition to the preceding public acts there are the following public acts included within the provisions of chapter 16: County jails, section 9; commercial operator's licenses for motor vehicles, section 17; employment of commercial operator of motor vehicles, section 18, and reclassification of highway in the town of Ossipee, section 19.

# PRIVATE ACTS

## CHAPTER 16.

AN ACT RELATING TO THE POWERS OF CERTAIN MUNICIPAL AND  
PRIVATE CORPORATIONS, AND CERTAIN COUNTIES, AND  
CLARIFYING A CERTAIN PROVISION OF THE MOTOR  
VEHICLE LAWS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Lebanon Water Works; Proceedings Legalized.** The votes and proceedings at the annual meeting of the Lebanon Water Works on the twenty-first day of March, 1950 are hereby legalized, ratified and confirmed.

**2. Amherst Village District; Authorization.** The Amherst Village District is hereby authorized to incur an indebtedness in an amount not exceeding one hundred fifty-five thousand dollars, including the amount authorized by chapter 72 of the Revised Laws as amended, for the purpose of constructing such water works system as it may deem necessary for the use of its inhabitants and others.

**3. Amherst Village District; Issuance of Bonds or Notes.** For the purpose and to the extent set forth in section 2 of this act, the Amherst Village District is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws as amended by chapter 5, Laws of 1947 and chapters 120 and 78 of the Laws of 1949; provided, however, that said notes or bonds may be made due and payable at such times not more than thirty years from the date of issue as the district commissioners may determine.

**4. Amherst Village District; Exception.** In ascertaining and fixing the debt limit of the town or school district of Amherst under the provisions of chapter 72 of the Revised Laws as amended, all indebtedness incurred under the authority of this act shall be excluded.

**5. Amherst Village District; Application of General Laws.** Except as otherwise provided by this act the provisions of chapter 72 of the Revised Laws as amended, shall apply to the serial notes or bonds herein authorized.

**6. Amherst Village District; Proceedings Legalized.** The proceedings and votes of the meeting of the Amherst Village District held March 24, 1950 are hereby legalized, ratified and confirmed, so far as they relate to the appropriation and issuance of serial notes and bonds for the purposes set forth in section 2 of this act.

**7. Town of Goffstown; Sewer System.** The votes of the town of Goffstown at its annual meeting on March 14, 1950 to finance the cost of constructing a sewer system in the Pinardville district, and the construction of extensions to the present sewer system in Goffstown village by the issue of bonds in the sum of one hundred and ninety-one thousand dollars, are hereby ratified, legalized and validated; and the authority of the

selectmen and of the treasurer to execute such bonds and to affix the town seal in behalf of the town, and the authority of the selectmen to fix the time and place of payment and the rate of interest of such bonds and to arrange the sale thereof, are hereby confirmed and the debt limitations of section 7 of chapter 72 of the Revised Laws are abrogated as to these bonds to the extent necessary to make them valid obligations of the town, provided, however, that the maturity dates of said bonds shall conform to the provisions of section 3 of chapter 72 of the Revised Laws, as amended by chapter 120 of the Laws of 1949.

**8. Laconia Hospital Association.** Amend section 3 of chapter 259 of the Laws of 1907 by striking out said section and inserting in place thereof the following: Sect. 3. There shall be elected by the members of the Laconia Hospital Association a board of trustees, of such number as they shall determine, who shall have the management of the affairs of the association; shall have custody and control of all property, real and personal, given, granted, donated, bequeathed, or devised, or otherwise transferred to said corporation, and who shall have such further powers and duties as may be defined in by-laws heretofore adopted or hereafter amended; and title to all property, real and personal, which has been heretofore vested in the board of trustees by said section shall hereinafter be vested in the corporation.

**9. Designation of County Jails.** Amend chapter 461, section 7 of the Revised Laws by striking out said section 7 and inserting in place thereof the following: 7. **Strafford, Cheshire, Merrimack and Sullivan Counties.** All prisoners sentenced to jail by any court within the counties of Strafford, Cheshire, Merrimack and Sullivan shall be committed to the houses of correction at the county farms in said counties unless the judge sentencing the prisoners shall designate some other jail within the state for such confinement. Said houses of correction are designated as jails for the confinement of prisoners. In the event that a prisoner is sentenced to either the Strafford, the Cheshire, the Merrimack, or the Sullivan house of correction, the committing magistrate may, while said sentence is in effect, designate some other jail within the state for such confinement for the balance of the term of said prisoner's sentence upon good cause being shown by the

county commissioners of either Strafford, Cheshire, Merrimack or Sullivan counties. The expenses of removing and maintaining such prisoner shall be defrayed by the county from which he is removed.

**10. Hillsborough School District Union; Name.** The Hillsborough Town School District and the Hillsborough Special School District shall constitute a single school district to be called the School District of the town of Hillsborough.

**11. Hillsborough School District; Powers.** The school board of the consolidated district shall be agents of the uniting districts for the administration of any trust property, shall have all the powers and perform all the duties prescribed by law relating to school boards of school districts, and, except as may be inconsistent herewith, shall be subject to the provisions of the statutes of New Hampshire relating to the public schools.

**12. Hillsborough School District; Authority to Take Property.** The consolidated district shall be subject to all the liabilities and take over, own, and control all the buildings and other property which each of the districts hereby united shall have at the time this act becomes effective, and neither of the uniting districts shall be assessed any charges whatsoever to reimburse the other district for the property so transferred to the new consolidated district.

**13. Hillsborough School District; Members of the Board.** The school board of the consolidated district shall consist of six members for a period of at least three years, and the present members of the school boards of the Hillsborough Town School District and of the Hillsborough Special School District shall continue as members of the school board of the new consolidated district until the expiration of the term of office for which each has been elected. The school board of each district shall continue to manage the finances and the treasurer of each district be continued in office of such district until the end of the fiscal year this act takes effect. As the terms of the present members of the board of the consolidated district expire, new members shall be chosen as will make the total membership of the said board as is herein provided with three members from each of the uniting districts during the first three years of such consolidation.

**14. Hillsborough School District; First Meeting.** The first meeting of the consolidated district shall be held within forty-five days after the passage of this act, to consider the immediate building of a new elementary school for the consolidated district, to raise and appropriate such sums of money as may be necessary to construct such new school building together with incidental expenses, and to transact any other necessary business of said new district provided, however, if said meeting fails to vote to build at once, and raise and appropriate sufficient money to so build an elementary school building adequate to house all the pupils in the first six grades in the district, then sections 10, 11, 12, 13 and 14 shall become null and void immediately and the pre-existing districts automatically re-established as though this act had never been passed and been in effect. The warrant for said first meeting of the consolidated district shall be issued by, and the voters thereby warned of said meeting, by the school boards of the districts hereby united, acting jointly; and said meeting for the purposes of raising and appropriating the money necessary to build a new school, shall have the same authority as an annual district meeting.

**15. Application of Statutes.** Any acts inconsistent with the provisions of sections 10 to 14 of this act are repealed to the extent of such inconsistencies.

**16. Sisters of Holy Cross; Powers Increased.** The Sisters of Holy Cross and Seven Dolors, a voluntary corporation formed under the provisions of chapter 272 of the Revised Laws of New Hampshire in the year one thousand nine hundred and fifty, and carrying on its activities in Manchester in the County of Hillsborough, is hereby authorized and empowered to establish, maintain and direct in the said city of Manchester, a college for the higher education of women to be called "Notre Dame College" or "College Notre Dame"; to prescribe the rules for the government of said college and the course of studies to be pursued therein, and to confer upon the graduates thereof the degree of bachelor of arts, bachelor of science, bachelor of education, bachelor of music and such other degrees and diplomas as are conferred by institutions of like character.

**17. Farm Vehicles.** Amend section 15 of chapter 117 of the Revised Laws as amended by section 6, chapter 189 of the Laws of 1949, by striking out said section and inserting in place thereof the following: **15. Commercial Operator's License.** No person shall operate a bus or motor truck, except one owned by himself, as defined in paragraphs I and XV of section 1 of chapter 115 of the Revised Laws, or except a motor truck bearing agricultural or farm registration, unless specially licensed as a commercial operator by the commissioner and such license shall cover the operation of any motor vehicle.

**18. Commercial Operator.** Amend section 17 of chapter 117 of the Revised Laws as amended by section 8, chapter 189, Laws of 1949, by striking out said section and inserting in place thereof the following: **17. Employing Commercial Operator.** No person in control of a bus or motor truck shall allow any other person to operate such bus or motor truck, except a motor truck bearing agricultural or farm registration, unless such operator holds a commercial operator's license.

**19. Reclassification of Highway in Ossipee.** The highway in the town of Ossipee running from Route 16 to Route 25 on the westerly side of the Bearcamp River and known as the Bearcamp Road, now classified as Class II highway, shall hereafter be classified as a Class V highway. The provisions of section 1, chapter 18, Laws of 1949, shall not apply to the town of Ossipee for the year 1950.

**20. Lebanon Town Meeting Legalized.** The votes and proceedings at the annual town meeting of the town of Lebanon on the fourteenth day of March, 1950, are hereby legalized, ratified and confirmed.

**21. Wakefield Town Meeting.** The votes and proceedings at the annual town meeting in the town of Wakefield on the fourteenth day of March, 1950, are hereby legalized, ratified and confirmed.

**22. Stone Pond in Marlborough.** The town of Marlborough is hereby authorized to take water for the purposes of a municipal waterworks from Stone pond, which is partially in the town of Marlborough and partially in the town of Dublin, provided that before June 1, 1952, said town, at a meeting duly called for the purpose, votes to establish a municipal waterworks and to acquire necessary land or water rights



under the provisions of chapter 56, Revised Laws, and other applicable statutes.

**23. Roxbury Town Meeting.** The votes and proceedings at the annual town meeting in the town of Roxbury on the fourteenth day of March, 1950, are hereby legalized, ratified and confirmed.

**24. Milan School District.** The votes and proceedings of the special meeting of the school district of the town of Milan held on May 2, 1950, are hereby legalized, ratified and confirmed.

**25. Hampstead Town Meeting.** The votes and proceedings of the special town meeting held in the town of Hampstead on September 23, 1949, relative to election of officers, are hereby legalized, ratified and confirmed.

**26. Wolfeboro Village Fire Precinct.** Amend sections 9 and 10 of chapter 443 of the Laws of 1949 by inserting after the word "hundred" where it occurs in said sections the words, and fifty, so that said sections as amended shall read as follows: **9. Wolfeboro Fire Precinct, Additional Debt Authorized.** The village fire precinct of the town of Wolfeboro is hereby authorized to incur indebtedness in an amount not exceeding one hundred and fifty thousand dollars for the purpose of improving its electric light plant, extending its electric lines and for delayed maintenance, said amount to be in addition to the amounts already authorized by law. **10. Bonds Authorized.** In accordance with section 9 hereof, the commissioners of the village fire precinct of the town of Wolfeboro are hereby empowered and authorized to issue for and in behalf of said district serial notes or bonds to an amount not exceeding one hundred and fifty thousand dollars for the purposes specified in said section 9. Said notes or bonds shall be issued in conformity with the provisions of chapter 72 of the Revised Laws excepting as may be otherwise provided in sections 9, 10, and 11 hereof.

**27. Stratford Town Meeting.** The votes and proceedings of the town meeting held in the town of Stratford on March 14, 1950, are hereby legalized, ratified and confirmed.

**28. Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1950.]



# LAWS

OF THE  
STATE OF NEW HAMPSHIRE  
JANUARY SESSION OF 1951

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## CHAPTER 1.

AN ACT PROVIDING A TEMPORARY OPEN SEASON FOR TAKING  
PICKEREL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Temporary Open Season.** The open season for taking pickerel from certain waters which, by regulation promulgated by the director of fish and game, would close on January 15, 1951, is hereby extended so that pickerel may be taken from said waters until January 31, 1951.

2. **Application of Statutes.** Except in so far as may be otherwise provided under the provisions of section 1 hereof, all provisions relative to taking pickerel as provided in fish and game laws shall remain in force.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved January 11, 1951.]

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## CHAPTER 2.

AN ACT NAMING THE SUMMIT OF WOLF HILL IN DEERING.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Name Given.** The summit of the mountain known as Wolf Hill in the town of Deering is hereby named Clark's Summit. This name is given in honor of the late Chaplain Clark Vandersall Poling.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved January 24, 1951.]

### CHAPTER 3.

#### AN ACT NAMING MOWGLIS MOUNTAIN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Name Given.** On and after the date of the passage of this act, the peak with an elevation of about 2,400 feet, located about five miles west of Newfound Lake on a ridge about one mile southwest of Oregon Mountain in Grafton County, shall be known as Mowglis Mountain.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 1, 1951.]

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### CHAPTER 4.

#### AN ACT RELATING TO THE APPROPRIATION FOR TIMBER TAX REIMBURSEMENT FUND.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Forest Conservation and Taxation.** Amend sections 12 and 13 of chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 by striking out the figure "300,000" where it occurs in said sections and inserting in place thereof the figure, 360,000, so that said sections as amended shall read as follows:

**12. Reimbursement Fund Created.** There is hereby appropriated the sum of \$360,000, to be raised in the manner hereinafter provided, which sum shall constitute the reimbursement fund for reimbursing cities and towns for the loss of tax revenue by the exemption of standing wood and timber. Any balance in said reimbursement fund shall not lapse but shall be carried forward to the reimbursement fund for the succeeding fiscal year. The governor is hereby authorized to draw his warrant for the purposes of this chapter out of any money in the treasury not otherwise appropriated.

**13. Bond Issue Authorized.** Whenever there are insufficient funds in the treasury upon which the governor may

draw his warrant to create the reimbursement fund as authorized in the preceding section, the treasurer is hereby authorized under the direction of the governor and council to borrow from time to time upon the credit of the state a sum not to exceed \$360,000 and for that purpose may issue bonds or notes in the name and behalf of the state. Such bonds or notes shall be deemed a contract on the part of the state to set aside annually a sum not to exceed \$25,000 from the forest improvement and recreational fund established under section 14 of chapter 234, of the Revised Laws as amended by section 10 of chapter 184 of the Laws of 1945, until the date of maturity of said bonds or notes or until sufficient money shall have accumulated to pay such bonds and the interest thereon at dates of maturity. Such bonds and notes shall be deemed a pledge of the faith and credit of the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 6, 1951.]

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## CHAPTER 5.

### AN ACT GRANTING SCHOOL DISTRICTS TEMPORARY EMERGENCY EXEMPTION FROM CERTAIN PROVISIONS OF THE MUNICIPAL BONDS STATUTE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authority.** Any school district duly organized and existing under the provisions of law is hereby authorized and empowered to issue its serial bonds or notes for the purpose of construction of new school buildings or for the alteration of present structures, or for the enlargement and improvement of existing school facilities, to an amount not exceeding five per cent of the latest assessed valuation subject to taxation of the taxable property in such district. Existing indebtedness of such districts shall be included in determining net borrowing capacity hereunder.

**2. Bond Issues; Special Cases.** A school district may vote to issue bonds or notes for the purposes set forth in section 1 of this act in an amount in excess of five per cent of the latest

assessed valuation subject to taxation but not in excess of eight per cent thereof, in accordance with the conditions set forth in sections 4, 5, 6 and 7 of this act. A certified copy of the record of the action of the school district shall be presented forthwith to the commissioner of education.

**3. Municipal Bonds Statute.** The issuance of serial notes or bonds by school districts under this act shall be governed by the provisions of chapter 72 of the Revised Laws as amended except for the debt limitations upon school districts imposed by sections 7 and 8 thereof. The debt of a school district created under the provisions of this act or under the provisions of chapter 156 of the Laws of 1947 or of chapter 55 of the Laws of 1949 shall be excluded in computing the debt limit of counties, towns, cities and village districts under the provisions of section 7 thereof.

**4. Board Designated.** There shall be a board of investigation composed as follows: The commissioner of education; a member of the tax commission to be selected by said commission; the chairman of the judiciary committee of the senate; the chairman of the committee on municipal and county government of the house of representatives, and one other person having knowledge of educational and financial matters to be appointed by the governor. In the event that either the chairman of the judiciary committee of the senate or the chairman of the committee on municipal and county government of the house of representatives shall be unable to serve, the president of the senate or the speaker of the house of representatives or, in the absence or inability to act of either of them, the governor shall designate some other member of the respective judiciary committee and committee on municipal and county government as a member of said board. The member of said board representing the tax commission shall serve as chairman thereof, and said board shall choose some other member thereof as clerk. The non-state-salaried members of said board shall receive compensation for their services at the rate of six dollars per diem and reasonable expenses, and said compensation, together with other expenses incurred by the board, shall be paid by the school district or school districts whose proposals are to be examined. Said committee shall make a complete stenographic record of its hearings.

**5. Meetings of Board.** Upon receipt of the record provided under section 2, the commissioner of education shall notify the chairman of said board of the receipt thereof and said chairman shall fix a time and place when all interested parties may be heard, giving notice thereof by registered mail to the chairman of the school board and the clerk of the school district presenting the proposal at least fourteen days prior to the date of the hearing and causing said notice to be published once prior to the date of the hearing in some newspaper of general circulation in said district. Such hearing may be adjourned at the discretion of the board.

**6. Findings of Board.** Said board shall consider the educational needs and financial condition of the district; and if it finds that the proposal is in the best interest of and within the financial capacity of said district, it shall certify its approval to the governor and council; but if it concludes that the proposal is inexpedient, it shall submit its disapproval forthwith in writing to the chairman of the school board and the clerk of said district, and thereupon the action of said district shall become null and void. The findings of said board shall be by majority vote of all members.

**7. Approval of Governor and Council.** Upon receipt of the approval of a proposal by the board, the same shall be examined by the governor and council; and if the same shall be approved by them, such approval shall be certified by the secretary of state to the chairman of the school board and the clerk of the district, whereupon said bond issue shall be regarded as authorized as though said issue were less than five per cent of the latest assessed valuation of said district.

**8. Extension of Bond Term.** Under the conditions of application, notice, hearing, approval and certification, as set forth in section 2, 4, 5, 6 and 7 of this act, the terms of any bonds issued under the provisions of this act may be extended to a period of not more than thirty years.

**9. Duration of Board.** The authority vested in the board designated under the provisions of section 4 of this act shall terminate on January 1, 1953.

**10. Takes Effect; Expiration.** This act shall take effect upon its passage, provided that no action shall be taken hereunder by any school district after January 1, 1953, except such action as may be necessary to carry out such approval as may

be granted under section 7. The foregoing limitation of this act shall not affect the validity of any bonds or notes issued by authority thereof.

[Approved February 8, 1951.]

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## CHAPTER 6.

### AN ACT DEFINING THE APPLICATION OF CERTAIN STATUTES RELATIVE TO LIENS FOR LABOR, AND MATERIALS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Liens for Labor and Materials.** Amend section 15 of chapter 264 of the Revised Laws by striking out the words "the three preceding sections" in the third line and inserting in place thereof the words and figures, sections 12, 13, 14 and 14-a, so that said section as amended shall read as follows:

**15. Sub-contractors.** If a person shall by himself or others perform labor or furnish materials to the amount of fifteen dollars or more, for any of the purposes specified in sections 12, 13, 14 and 14-a, by virtue of a contract with an agent, contractor or sub-contractor of the owner, he shall have the same lien as provided in said sections; provided, that he gives notice in writing to the owner or to the person having charge of the property that he shall claim such lien before performing the labor or furnishing the material for which it is claimed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 15, 1951.]

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## CHAPTER 7.

### AN ACT RELATING TO ELECTION OF BUDGET COMMITTEE MEMBERS-AT-LARGE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Municipal Budget Law.** Amend section 2 of chapter 52 of the Revised Laws, as amended by section 1, chapter 228 of the Laws of 1949, by inserting after the word "voting" in the



nineteenth line the words, except as provided in section 2-a, so that said section as amended shall read as follows: **2. Budget Committee.** The budget committee shall consist of three, six, nine or twelve members-at-large as the meeting adopting the provisions hereof shall by vote determine, and one member chosen by the school board of each school district wholly within said town, and one member of the board of commissioners of each village district wholly within said town to be designated by said board, and one member of the board of selectmen to be designated by said board. The members-at-large may either be appointed by the moderator or elected by the town meeting as any annual meeting may by vote determine, under a proper article in the warrant for said meeting, provided, however, that no selectman, town manager, member of the school board or village district commissioner shall serve as a member-at-large. The majority of the members-at-large shall be property taxpayers and one of said members-at-large shall be elected by the budget committee as chairman. If said members-at-large are elected at the town meeting it shall be by majority vote by ballot or acclamation of those present and voting, except as provided in section 2-a. Where said members-at-large are appointive such appointments shall be made within thirty days after the annual town meeting. One third of the members-at-large shall hold office for one year, one third for two years, and one third for three years and until their successors are elected or appointed and qualified. Vacancies in the membership-at-large shall be filled by appointment by the moderator and such appointment shall be made within five days from the creation of the vacancy. Such appointees shall hold office until the next annual town meeting. The members selected by the school board, the village district commissioners and the selectmen shall hold office for one year and until their successors are qualified.

**2. Official Ballots.** Amend chapter 52 of the Revised Laws by inserting after section 2 the following new section: **2-a. Election of Members-at-Large.** In any case where the town has adopted either the Australian or non-partisan ballot system for the election of its town officers, and the town has voted to elect members-at-large of the budget committee, said members-at-large may be elected by said official ballot system by plurality vote.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved February 15, 1951.]

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## CHAPTER 8.

### AN ACT RELATIVE TO TAX EXEMPTIONS OF INSTITUTIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Real Estate of Institutions; Exemptions.** Amend section 28 of chapter 73 of the Revised Laws as amended by section 2 of chapter 141, Laws of 1945, by striking out the number "23" in the first line and inserting in place thereof the number, 24, so that said section as amended shall read as follows: **28. Application of Provisions.** The exemptions referred to in sections 24, 26 and 27 of this chapter, as regards real estate hereafter acquired by such institutions, shall apply only to subsequent improvements therein and thereon, and the real estate so acquired shall be assessed and taxed as other similar land and real estate in the vicinity is assessed and taxed. This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service or to real estate owned and occupied by the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, the American National Red Cross, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 19, 1951.]

## CHAPTER 9.

### AN ACT RELATING TO THE LIABILITY FOR PAYMENT OF POLL TAXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Poll Taxes.** Amend section 1 of chapter 73 of the Revised Laws as amended by chapter 5 of the Laws of 1944 and section 1 of chapter 291 of the Laws of 1949 by striking out the word "except" in the eleventh line and inserting in place thereof the word, exempt, so that said section as amended shall read as follows: **1. Persons Liable.** A poll tax of two dollars shall be assessed on every inhabitant of the state from twenty-one to seventy years of age whether a citizen of the United States or an alien, except paupers, insane persons, the widow of any veteran who served in the armed forces of the United States in any wars in which it has been engaged, the widow of any citizen who served in the armed forces of any country allied with the United States in any of the wars as defined in chapter 167 of the Laws of 1949, and section 29-c, chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947, and others exempt by special provisions of law.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 19, 1951.]

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## CHAPTER 10.

### AN ACT RELATING TO INCOME TAXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Income Taxes.** Amend section 32 of chapter 78 of the Revised Laws as amended by section 12 of part 8 of chapter 5 of the Laws of 1950, by striking out the whole thereof and inserting in place thereof the following: **32. Distribution.** The state tax commission shall determine the expense of administration for the year in which the tax is assessed and

shall certify to the state treasurer the amounts of the remaining balance of the tax, after the expenses of administration have been deducted, which shall be distributed on August first of that year to the respective towns and cities where the owner of the taxable income resides, and where the owner resides in an unorganized place, to the treasurer of the county in which such place is situated. Provided, however, that any interest and penalties collected thereon may be retained by the state and applied to the expense of administration.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 19, 1951.]

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## CHAPTER 11.

### AN ACT RELATING TO BEAVER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Beaver.** Amend section 6 of chapter 244 of the Revised Laws, as amended by chapter 64, Laws of 1943, chapter 46, Laws of 1945 and chapter 218, Laws of 1949, by striking out said section and inserting in place thereof the following: **6.**

**Open Season.** In any county, or part thereof, during the period from January first to March thirty-first, the director, with the approval of the commission, may declare an open season on beaver, by the use of traps only, if he deems that beaver are detrimental to fishing or hunting or to lumber operations, or if he receives written complaint from a water company or a land owner that beaver are polluting a water supply or doing actual and substantial damage to property. He may make such rules and regulations as he deems necessary as to length of season and bag limit.

**2. Licenses.** Amend section 8 of chapter 244 of the Revised Laws, as amended by section 2, chapter 46, Laws of 1945, by striking out the second sentence thereof so that said section as amended shall read as follows: **8. Trapping.**

During said open season any resident of the state holding a trapping license may take and possess beaver by means of traps only.

3. **Trapping.** Amend section 13 of chapter 244 of the Revised Laws by adding at the end thereof the words, provided, however, that a person trapping for beaver through the ice during the open season therefor, shall visit his traps once in each seventy-two hours, so that said section as amended shall read as follows: **13. Visiting Traps.** A person shall visit his traps at least once in each calendar day, but such visiting hours shall be between one-half hour before sunrise and one-half hour after sunset only, provided, however, that a person trapping for beaver through the ice during the open season therefor, shall visit his traps once in each seventy-two hours.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved February 21, 1951.]

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## CHAPTER 12.

### AN ACT RELATIVE TO FOREST CONSERVATION AND TAXATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Forest Conservation.** Amend section 2 of chapter 79-A of the Revised Laws, as inserted by section 2, chapter 295 of the Laws of 1949, by striking out said section and inserting in place thereof the following: **2. Release from Taxes.** All growing wood and timber except fruit trees, sugar orchards, nursery stock and trees maintained only for shade or ornamental purposes, which shall not be subject to the yield tax hereinafter provided, shall be released from the general property tax and the school tax in unincorporated places provided for in section 15 of chapter 140 of the Revised Laws; but the land on which such growing wood and timber stands shall be assessed.

2. **Duty of Owner.** Amend section 8 of said chapter 79-A of the Revised Laws, by striking out said section and inserting in place thereof the following: **8. Notice of Cutting.** An owner who intends to cut growing wood or timber shall file a written notice of intent to cut, prior to commencing such cutting, with the assessing officials, and a copy thereof with the state tax commission, setting forth his name, residence, a

description of the location of the land from which such wood and timber is to be cut, its estimated amount and the value thereof, and whether an application for abatement will be made in accordance with section 5. Whoever shall fail to file a notice of intent to cut, as aforesaid, shall be guilty of a misdemeanor and be fined not more than five hundred dollars or imprisoned not more than six months, or both.

**3. Copy to Tax Commission.** Amend section 9 of said chapter 79-A of the Revised Laws by striking out said section and inserting in place thereof the following: **9. Returns.** Every owner as defined in section 1 of this chapter shall make a return to the assessing officials and send a copy thereof to the state tax commission within fifteen days of the completion or termination of the cutting referred to in the notice of intent to cut, provided, however, that all such returns must be filed not later than October fifteenth covering all timber cut up to October first next preceding. Such return shall state the owner's name, residence, the kinds and amounts of wood or timber cut, and such other information as the tax commission may deem necessary to enable the assessing officials to locate, identify, verify and determine the true stumpage value of all wood and timber cut. Such returns shall be made under the penalties of perjury.

**4. Bringing Action.** Amend section 10 of said chapter 79-A of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Penalty.** Whoever violates any of the provisions of section 8 or 9 shall be subject to a penalty not exceeding five hundred dollars, to be recovered in an action brought in the name of the town or city by the assessing officials or the state tax commission, which penalty shall go to the city or town in which the wood or timber is located, provided, however, that in any unincorporated place such action shall be brought by the state tax commission and the penalty recovered shall go to the county in which such place lies.

**5. Change in Date.** Amend section 17 of said chapter 79-A of the Revised Laws by striking out said section and inserting in place thereof the following: **17. Application for Reimbursement.** Any city or town desiring to be reimbursed for any year as herein provided shall on or before December first of that year file with the tax commission a written application therefor and certify therein the amount of yield taxes

assessed for the preceding tax year on a form prescribed by the tax commission. Such reimbursement shall be determined by said commission and certified to the state treasurer for payment in the manner provided in section 18.

**6. Reimbursement Fund.** Amend section 18 of said chapter 79-A of the Revised Laws by striking out said section and inserting in place thereof the following: **18. Distribution of.** Beginning with the year 1951 and annually thereafter the state treasurer shall on or before December twenty of each year make distribution from said reimbursement fund to those cities and towns which have applied therefor for their losses in tax revenue, if any, caused by the exemption of growing wood and timber, when such losses have been determined and certified by the state tax commission as provided in section 17. In computing such losses said commission shall determine the amount of revenue each city or town would have received from a tax levied on the average assessed valuation of the growing wood and timber therein for the years 1944-1948 inclusive, reckoned at the current average tax rate, deducting therefrom the amount of any general property tax assessed under section 4 of this chapter and the amount of yield tax assessed in such place under the provisions of this chapter for the year in which distribution is made. In order that there may be an equitable distribution of funds paid by the state for aid to schools, or for highway maintenance and construction, and to provide for an equitable apportionment of the county taxes or any application of any statute based wholly or in part on equalized valuation, the tax commission shall include the five-year average assessment of growing wood and timber in each city or town as provided above in the equalized valuation of each city and town in accordance with paragraph V of section 11 of chapter 82 of the Revised Laws. Said commission shall also take into consideration any decrease in the amount of reimbursement which any town may receive because of the taking of forest land by the state or federal government for state or national forests and any other unusual or abnormal conditions, including extraordinary obligations of a city or town incurred before July 26, 1949, which would affect an equitable distribution, the intent being to make up to the several cities and towns any loss in tax revenue or loss in reimbursement granted in lieu of tax revenue on state and federal forests, or increase in county or state taxes resulting

from such exemption in as equitable a manner as possible. If in any tax year the amount of yield tax together with the said additional state funds for schools and roads shall exceed tax losses, said excess shall be used (1) to reimburse the state for accumulated payments received in prior years under the provisions of this section, and (2) as deductions in computing subsequent distributions from the reimbursement fund.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved February 21, 1951.]

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### CHAPTER 13.

#### AN ACT RELATIVE TO LEASING OF PRIVILEGES AND CONCESSIONS ON STATE FORESTS AND RESERVATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Forests and Reservations.** Amend section 10, chapter 234, Revised Laws, as amended by section 7, chapter 184, Laws of 1945, by striking out said section and inserting in place thereof the following: **10. Privileges and Concessions.** The commission may make contracts for the leasing of privileges and concessions on state forests and reservations, for periods not exceeding five years. All such contracts extending for a period of more than two years or for an annual consideration of more than one hundred dollars shall be approved by the governor and council prior to being effective.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 27, 1951.]

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### CHAPTER 14.

#### AN ACT RELATING TO THE COLLECTION OF TAXES AGAINST NON-RESIDENTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Collection of Taxes.** Amend chapter 80 of the Revised Laws by inserting after section 43 the following new sec-



tion: **43-a. Actions Against Non-residents.** The officers responsible for the collection of any tax of any state or commonwealth of the United States of America, or any political subdivision thereof, shall have the right to bring an action or suit in the courts of this state to recover any unpaid tax against a person within this jurisdiction, when the same or a similar right is accorded to the proper officer of this state or any of its political subdivisions by such state or commonwealth either by law or comity.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 27, 1951.]

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## CHAPTER 15.

### AN ACT RELATING TO CERTAIN FEES IN CONNECTION WITH THE SALE OF SECURITIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Dealers.** Amend section 8 of chapter 336 of the Revised Laws by striking out the word "twenty-five" in the third line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **8. Application; Fee.** Any dealer desiring registration shall file written application therefor with the insurance commissioner, accompanied by a registration fee of fifty dollars, the fee to be returned if the application is not granted.

**2. Salesmen.** Amend section 19 of chapter 336 of the Revised Laws by striking out the word "ten" in the second line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **19. Application.** Upon written application by a registered dealer, accompanied by a registration fee of fifteen dollars for each person, the commissioner shall, if he is satisfied that they are suitable persons, register, as agents or salesmen of such dealer, such persons as the dealer may request.

**3. Dealers' Renewals.** Amend section 24 of chapter 336 of the Revised Laws, as amended by section 5, chapter 106, Laws of 1943, by striking out the word "twenty-five" in the fifth

line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **24. New Registrations.** New registrations of dealers for the succeeding year may be issued as of course without the filing of further statements or furnishing any further information, unless specifically requested by the commissioner, upon written application of the dealer and payment of fifty dollars for each registration.

**4. Salesmen's Renewals.** Amend section 25 of chapter 336 of the Revised Laws by striking out the word "ten" in the second line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **25. Agents.** Registration of an agent may be renewed from year to year, upon the request of the dealer and the payment of fifteen dollars.

**5. Fee for Approval.** Amend section 30 of chapter 336 of the Revised Laws by striking out said section and inserting in place thereof the following: **30. Qualification of Securities.** No registered dealer or his salesmen or agents shall sell or offer for sale securities, except those legal for investments for savings banks in this state and except such other securities as may be designated under such rules and regulations as the commissioner may prescribe, unless such sale has been approved by the commissioner. A dealer desiring to qualify such securities shall submit to the commissioner such descriptive, statistical, or documentary information as he may require. The commissioner shall after examination of such information approve or disapprove the sale of such securities and so notify the dealer. A fee of twenty-five dollars shall be charged for the examination of material submitted to obtain the qualification of a new security or investment trust shares. This fee shall not be charged for the examination of material submitted to obtain the qualification of securities by a corporation licensed to sell its own stock under section 3 of this chapter. The commissioner may prescribe rules and regulations to carry out the purposes hereof.

**6. Takes Effect.** This act shall take effect March 1, 1951. [Approved February 28, 1951.]

## CHAPTER 16.

### AN ACT RELATIVE TO MARKING ON CLOSED PACKAGES OF APPLES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Sale of Apples.** Amend section 7 of chapter 197 of the Revised Laws by striking out said section and inserting in place thereof the following: **7. Certain Information to be Marked on Closed Packages.** Each closed package of apples which is packed, sold, distributed, offered or exposed for sale or distribution in the state by any person shall have affixed in a conspicuous place on the outside thereof a plainly printed statement of (a) the quantity of the contents, (b) the name and address of the packer, or of the person by whose authority the apples were packed, (c) the true name of the variety, (d) the minimum size of the apples contained therein in accordance with sections 3 and 5, and (e) the name of the state where they were grown. If the true name of the variety is not known to the packer, or to the person by whose authority the apples were packed, the statement shall include the words "Variety unknown," and if the name of the state where the apples were grown is not known, this fact shall also be set forth in the statement. Every package of apples which is repacked shall bear the name and address of the repacker, or the name and address of the person by whose authority it is repacked, in place of that of the original packer.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 1, 1951.]

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## CHAPTER 17.

### AN ACT CHANGING THE NAME OF PAWTUCKAWAY POND.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Name Given.** The body of water in the town of Nottingham now known as Pawtuckaway pond is hereby named and shall be known as Pawtuckaway Lake.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 1, 1951.]

## CHAPTER 18.

AN ACT RELATIVE TO STANDARDS OF IDENTITY FOR MILK, BUTTER  
AND CREAM.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Standards.** Amend section 32 of chapter 194, Revised Laws by striking out said section and inserting in place thereof the following: 32. **Terms Defined.** As used in this subdivision the following words shall have the following meanings:

I. The term "milk" means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and five days after calving, or such longer period as may be necessary to render the milk practically colostrum free. The name "milk" unqualified means cow's milk. It shall contain not less than eleven and eighty-five one hundredths per cent of milk solids, nor less than three and thirty-five one hundredths per cent of milk fat.

II. The term "skimmed milk" or "skim milk" means that portion of milk which remains after removal of the cream in whole or in part. It shall contain not less than 8.5 per cent by weight of milk solids not fat.

III. The term "butter milk" means the product resulting from the churning of milk or cream, or from the souring or treatment by a lactic acid or other culture of milk, skimmed milk, reconstituted skimmed milk, evaporated or condensed milk or skimmed milk, or milk or skimmed milk powder. It contains not less than 8.5 per cent of milk solids not fat.

IV. The term "butter" means the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 per cent by weight of butter fat, all tolerances having been allowed for.

V. The term "sweet cream butter" means the food product churned from fresh sweet cream, untreated (except by pasteurization), no part of which has attained an acidity exceeding 0.2 per cent calculated as lactic acid and to which no ripening ferment has been added; with or without the addi-

tion of salt and/or coloring; nor shall the cream contain more than 35 per cent milk fat. It contains not less than 80 per cent by weight of milk fat, all tolerances having been allowed for.

VI. The term "cream," "sweet cream" or "light cream," means that portion of milk, rich in butter fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force. It is fresh and clean. It contains not less than eighteen per cent by weight of milk fat and not more than two-tenths per cent of acid-reacting substances, calculated in terms of lactic acid.

VII. The term "heavy cream," or "heavy whipping cream" means whipping cream which contains not less than thirty-six per cent by weight of milk fat.

VIII. The term "homogenized cream" means cream that has been mechanically treated in such a manner as to alter its physical properties, with particular reference to the condition and appearance of the fat globules.

**2. Penalty.** Amend section 35 of chapter 194, Revised Laws, by striking out said section and inserting in place thereof the following: **35. Penalty.** Whoever sells, offers for sale, or has in possession with intent to sell, any milk, skimmed milk, butter milk, butter or renovated butter, sweet cream butter, cream, heavy cream, and homogenized cream which fails to conform to the requirements of the three preceding sections, or otherwise violates any provisions of this subdivision, shall be fined not less than twenty-five dollars nor more than two hundred dollars, or imprisoned not more than sixty days, or both.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 1, 1951.]

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## CHAPTER 19.

AN ACT RELATING TO THE DEPUTY STATE HEALTH OFFICER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Department of Health.** Amend chapter 147 of the Revised Laws by inserting after section 4, as amended by

chapter 15 of the Laws of 1943 and chapter 129 of the Laws of 1945, the following new sections: **4-a. Duties, Deputy State Health Officer.** The state health officer shall direct the work of his department but may assign such of his duties to the deputy state health officer as he may deem advisable and in the interest of the public welfare.

**4-b. Deputy State Health Officer.** The deputy state health officer shall act as state health officer whenever the latter is absent or unable to act from any cause. This shall include attendance and voting rights of the state health officer, in his absence, on boards and commissions of the state of which he is a member *ex-officio*, including but not limited to the following: the commission on alcoholism, the tuberculosis commission, the cancer commission, board of registration of funeral directors and embalmers, board of trustees of the New Hampshire State Sanatorium, and the water pollution commission.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 1, 1951.]

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## CHAPTER 20.

### AN ACT RELATING TO THE OPERATION, REGISTRATION AND LICENSING OF MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles.** Amend section 11 of chapter 116 of the Revised Laws by striking out the word "five" and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **11. Inspection Authorized.** The commissioner may require the inspection of any motor vehicle, trailer, or semi-trailer to determine whether it is safe and fit to be operated. Such inspection shall be made at such times and in such manner as the commissioner may specify; provided, however, that newly registered vehicles and vehicles the ownership of which has been transferred may be operated for a period of ten days before inspection. The commissioner may authorize properly qualified persons to make inspections,

without expense to the state, at stations designated by him, and may at any time revoke such authorization or designation.

**2. Inspection Stickers.** Amend chapter 116 of the Revised Laws by inserting after section 11 the following new section:

**11-a. Fee.** The fee for inspection stickers shall be five cents for each sticker furnished an approved inspection station. All unused stickers returned by the approved inspection station to the motor vehicle department shall be refundable at the rate of five cents each.

**3. Penalty.** Amend section 12 of chapter 116 of the Revised Laws by striking out the words "any person" and inserting in place thereof the words, the operator or owner of any motor vehicle, so that said section as amended shall read as follows: **12. Penalty for Failing to Obey Inspection Requirements.** The operator or owner of any motor vehicle failing to comply with the requirements of the commissioner relative to inspection shall be fined not more than twenty-five dollars, and the commissioner may refuse to register, or revoke the registration of, any motor vehicle, trailer, or semi-trailer which has not been inspected as required or which is unsafe or unfit to be operated.

**4. Operation.** Amend section 51 of chapter 116 of the Revised Laws as amended by section 4 of chapter 177 of the Laws of 1947 by inserting after the word "dealer" in the second line the words, except those manufacturers or dealers that may be relieved of such requirements by the commissioner, and further amend said section by striking out the word "five" in the seventh line and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **51. Temporary Plates.** A manufacturer or dealer, except those manufacturers or dealers that may be relieved of such requirements by the commissioner, shall, upon the sale or exchange of a motor vehicle, trailer, semi-trailer, or tractor, attach to such motor vehicle, trailer, semi-trailer, or tractor a set of temporary number plates, and the purchaser of such motor vehicle, trailer, semi-trailer, or tractor may operate the same for a period not to exceed ten consecutive days thereafter without payment of a registration fee.

**5. Change of Fees.** Amend section 2 of chapter 118 of the Revised Laws by striking out the words "one dollar" in the third line and inserting in place thereof the words, two dollars,

and by striking out the words "twenty cents" in the seventh line and inserting in place thereof the words, fifty cents, so that said section as amended shall read as follows: **2. Additional Plates.** For every additional number plate furnished to replace such as have been lost or mutilated, or which are illegible, the commissioner shall collect two dollars; for every additional pair of number plates furnished to a manufacturer of or dealer in motor vehicles other than motor cycles whose business requires more than three pairs of such plates, eight dollars; for every set of temporary number plates furnished to a manufacturer or dealer, fifty cents; and for every additional pair of number plates furnished to a manufacturer of or dealer in motor cycles whose business requires more than three pairs of such plates, two dollars.

**6. Collection Fees.** Amend chapter 118 of the Revised Laws by inserting after section 30 the following new section: **30-a. Protested Checks.** Whenever any check issued in payment of any fee or for any other purpose shall be returned to the department of motor vehicles as uncollectible, the commissioner shall charge a fee of five dollars plus all protest and bank fees, in addition to the amount of said check, to the person presenting such check to him, to cover the cost of its collection.

**7. Approval of Devices.** Amend chapter 119 of the Revised Laws as amended by section 1 of chapter 88 of the Laws of 1947, by inserting after section 7-a the following new section: **7-b. Lighting and Safety Equipment.** Every light, lamp, lens, bulb, reflector, flare, windshield, window glass or substitute, and all automotive safety equipment designed as such, shall be approved by the commissioner of motor vehicles. Application for approval of every such device, accompanied by proper fees, shall be made by any manufacturer thereof or dealer therein. In case no fee is set by statute, the amount thereof may be determined by the commissioner.

**8. Equipment.** Amend chapter 119 of the Revised Laws by inserting after section 8-a, as inserted by chapter 82, Laws of 1947, and amended by chapter 46, Laws of 1949, the following new sections: **8-b. Stop Lamps.** It shall be unlawful for any person to operate any motor vehicle, including any motor cycle or motor-driven cycle, in this state unless it is equipped with a stop lamp in working order at all times. **8-c. Reflec-**



tors. Every new motor vehicle hereafter sold and operated upon a highway, other than a motor truck (tractor type), shall carry on the rear, either as a part of the tail lamps or separately, two red reflectors, except that every motor cycle and every motor-driven cycle shall carry at least one reflector.

**9. Bus Signs.** Amend section 13 of chapter 119 of the Revised Laws, as amended by section 2 of chapter 114 of the Laws of 1949, by striking out in the first line the words "motor vehicle" and inserting in place thereof the words, school bus; and by inserting before the word "rear" in the fourth line the words, front and, so that said section as amended shall read as follows: **13. School Buses.** No school bus used for the purpose of transporting school children shall be operated upon the highways of the state unless it carries the designation "School Bus" in a conspicuous place in the front and rear thereof in lettering not less than six inches in height, and has such other distinguishing marks as the commissioner may prescribe. When a school bus is being operated upon a highway for purposes other than the transportation of school children, all designating marks thereon indicating school bus shall be covered or concealed.

**10. New Motor Vehicles.** Amend chapter 119 of the Revised Laws by inserting after section 18-c as inserted by section 1 of chapter 232 of the Laws of 1949, the following new section: **18-d. Required Signals.** It shall be unlawful after January 1, 1952 to operate on any public highway in this state any motor vehicle registered in this state which is manufactured or assembled after such date, unless such vehicle is equipped with directional signals approved by the commissioner.

**11. Gross Weight of Motor Vehicles.** Amend paragraph II of section 37 of chapter 119 of the Revised Laws as amended by section 1 of chapter 104 of the Laws of 1949, by adding at the end of said paragraph the following: Such vehicle shall not be considered as having three axles if two axles thereof are closer together than forty inches and unless the wheels thereof are at all times in contact with the surface of the highway when loaded and are equipped with adequate brakes, so that said paragraph shall read as follows: **II.** A vehicle having three axles except as hereinafter provided whose gross weight is more than forty thousand pounds. Such vehicle shall not be

considered as having three axles if two axles thereof are closer together than forty inches and unless the wheels thereof are at all times in contact with the surface of the highway when loaded and are equipped with adequate brakes.

**12. Transportation of Explosives.** Amend paragraph III of section 47, chapter 119 of the Revised Laws by striking out the word "three" and inserting in place thereof the word, six, so that said paragraph as amended shall read as follows: III. Marking. Said vehicle when operated from one-half hour before sunrise to one-half hour after sunset shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than six inches high, on a background of sharply contrasting color, and there shall be displayed on the rear of such vehicle a red flag not less than twenty-four inches square marked with the word "Danger" in white letters six inches high with a one-inch stroke.

**13. Takes Effect.** Section 8-b of chapter 119 of the Revised Laws, as inserted by section 8 of this act, shall take effect as of July 1, 1951. The remaining provisions of this act shall take effect upon the passage hereof.  
[Approved March 7, 1951.]

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## CHAPTER 21.

### AN ACT RELATIVE TO THE NEW HAMPSHIRE TURNPIKE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Additional Powers.** Amend section 3 of chapter 295 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **3. Additional Powers.** In connection with the aforesaid toll road and agreeably to the provisions of this act, the commissioner of public works and highways is hereby authorized:

(a) To enter into contractual relations on behalf of the state;

(b) To do and perform all such acts as are necessary for the public good;

(c) To cause a traffic and economic study to be made of the first two years' operation of the aforesaid toll road;

(d) To make a study of possible extensions or additions to said road; and

(e) To employ such assistants, engineers or consultive services as may be necessary to carry out the provisions of paragraphs (c) and (d) of this section. The total expense of the said studies shall not exceed ten thousand dollars and shall be a charge upon the fund established under section 8 of this chapter.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 7, 1951.]

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## CHAPTER 22.

### AN ACT RELATING TO INTEREST CHARGES BY CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Credit Union Interest Charges.** Amend section 16 of chapter 315 of the Revised Laws by striking out the words "six per cent" appearing in the sixth line thereof and inserting in place thereof the words, one per cent per month on unpaid loan balances, so that said section as amended shall read as follows: **16. Deposits; Loans.** A union may receive its members' money on deposit and in payment of shares, upon such terms and in such amounts as its by-laws may prescribe. It may make loans to its members on such terms and upon such security, real or personal, as the union may vote or its by-laws prescribe. The interest charged shall not in any case exceed one per cent per month on unpaid loan balances.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 7, 1951.]

## CHAPTER 23.

### AN ACT RELATING TO TAXATION OF COUNTY FARMS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Property Taxes.** Amend section 7, chapter 73 of the Revised Laws, as amended by section 1 of chapter 50 of the Laws of 1945, by striking out the word "county" in the fifth line and by inserting after the word "purposes" in the same line the words, and almshouses on county farms, so that said section as amended shall read as follows: **7. Real Estate.** Real estate, whether improved or unimproved, and whether owned by residents or others, is liable to be taxed, except houses of public worship, schoolhouses, seminaries of learning, real estate of the state or town used for public purposes, and almshouses on county farms, and as otherwise provided.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1951.]

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## CHAPTER 24.

### AN ACT RELATIVE TO REGISTRATION OF MOTOR VEHICLES OF AMPUTEES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Exemption of Amputees.** Amend paragraph XIII of section 1 of chapter 118 of the Revised Laws as inserted by section 2 of chapter 107 of the Laws of 1947, and as inserted by section 1 of chapter 37 of the Laws of 1949, by striking out the words "a veteran of World Wars I or II," and inserting in place thereof the words, any person who became an amputee while a member of the United States armed forces and, so that the said paragraph as amended shall read as follows: **XIII.** No fee shall be charged for registering a motor vehicle owned by any person who became an amputee while a member of the United States armed forces and who, because of being an amputee, has received said motor vehicle from the United States government, and no fee shall be charged for registering a

motor vehicle with special equipment which said amputee may acquire to replace one received from the United States government.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1951.]

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## CHAPTER 25.

### AN ACT RELATIVE TO PURITY OF FOODS AND DRUGS PROCEDURES BY STATE DEPARTMENT OF HEALTH IN CONNECTION THEREWITH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Powers of Agents.** Amend section 6 of chapter 161, Revised Laws, by striking out said section and inserting in place thereof the following: **6. Seizure and Restraint.** Said inspectors, sanitarians, sanitary engineers and other agents are hereby authorized and empowered to seize for use as evidence and without warrant, and seal from further use, any article or commodity found being sold, distributed, stored or employed in the processing of any food or drug which is in violation of the laws relating to public health matters. Provided, however, that in the collection of samples of foods and drugs for investigation, the retail price thereof shall be tendered.

**2. Serving of Milk.** Amend section 24, of chapter 162, Revised Laws, by striking out said section and inserting in place thereof the following: **24. Limitations.** Nothing contained in this subdivision shall be construed to prevent or prohibit a person from purchasing milk in bulk for uses other than for serving patrons for drinking purposes, nor to prevent the sale or serving of cream, skimmed milk, or buttermilk from bulk, if the same is pure and wholesome and is sold and served as cream, skimmed milk, or buttermilk, nor shall it prevent or prohibit the sale of milk in mixed drinks at soda fountains. Nor shall it serve to prohibit the serving of homogenized pasteurized milk from dispensers approved by the state department of health whose bulk containers have been filled and

sealed at a pasteurization plant, provided that the dispenser is in full view of the patron so served.

3. **Shellfish.** Amend chapter 162, Revised Laws, by adding at the end thereof the following new subdivision:

### **Shellfish**

26. **Definition.** The term "shellfish," as used in this subdivision, means all fresh, frozen or incompletely cooked oysters, clams or mussels, either shucked or in the shell, and any fresh, frozen or incompletely cooked edible products thereof.

27. **Forbidden Sales.** No shellfish shall be sold for food unless taken from areas approved by the state board of health, or if taken from outside sources, from areas approved by the state regulatory shellfish authorities having jurisdiction, and secured from shellfish dealers currently listed on the United States Public Health Service publication of approved shellfish shippers.

28. **Certificate Required; Labeling; Records.** No person, firm or corporation shall operate an establishment for the processing or packing of shellfish either shucked or in the shell until he has been granted a certificate by the state board of health. A certificate shall be issued to any establishment which has complied with the regulations of the board relative thereto. All certificates issued hereunder shall expire on December thirty-first next following the date of issuance. All containers of shellfish shall bear identification in accordance with regulations promulgated by the state board of health. An accurate daily record shall be kept by all establishments certified listing the names and addresses of all persons from whom lots of shellfish are received, the location of the source of each lot, and the names and addresses of all persons to whom lots are shipped or sold. Such records shall be kept on file for sixty days and shall be open to inspection at any time during business hours by agents of the board.

29. **Revocation of Certificate.** In case any shellfish establishment shall be deemed by the state board of health to be conducted in an unsanitary manner, or there shall be any practice deemed in violation of any law, or of any legally adopted regulation of the board, it shall be the duty of the board to notify the establishment concerned, and in case the

required changes in conditions, methods or branding are not effected within the time specified, to close such establishment, or to suspend, revoke or cancel the certificate as the board may deem expedient.

**30. Procedure.** Before revoking or canceling any shellfish certificate, the state board of health shall give written notice stating that it contemplates such action, giving its reasons therefor. Said notice shall appoint a time of hearing and shall be sent by registered mail. On the day of hearing the party concerned may present such evidence as he deems fit.

**31. Effect of Revocation.** Any person, firm or corporation whose certificate has been suspended or revoked, or for whom a renewal has been denied, shall discontinue the processing and sale of shellfish. The sale or processing of shellfish from a non-certified establishment shall constitute a violation of this subdivision.

**32. Regulations.** The state board of health is empowered to make all necessary regulations for the proper enforcement of this subdivision.

**33. Penalty.** Whoever violates any provision of this subdivision, or regulations, made under authority of the preceding section, shall be fined not less than twenty-five dollars nor more than two hundred dollars, or imprisoned not more than sixty days, or both.

**34. Forfeitures.** Any shellfish sold in violation of this subdivision may be forfeited.

**4. Foods.** Amend section 1, of chapter 164, Revised Laws, by striking out said section and inserting in place thereof the following: **1. Prohibited Acts.** The following acts and the causing thereof are hereby prohibited:

I. The manufacture, sale, or delivery, holding or offering for sale of any food or drug that is adulterated or misbranded.

II. The adulteration or misbranding of any food or drug.

III. The receipt in commerce of any food or drug that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise.

IV. The dissemination of any false advertisement.

V. The refusal to permit entry or inspection, or to permit the taking of a sample, as authorized by section 12.

VI. The giving of a guaranty or undertaking which guaranty or undertaking is false, except by a person who relied on a guaranty or undertaking to the same effect signed by, and containing the name and address of the person residing in the state from whom he received in good faith the food or drug.

VII. The removal or disposal of a detained or embargoed article in violation of section 20.

VIII. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food or drug if such act is done while such article is held for sale and results in such article being misbranded.

IX. Forging, counterfeiting, simulating, or falsely representing, or without proper authority using any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under the provisions of this chapter. Provided that nothing in this section shall prevent the manufacture, or the possession by a wholesale dealer, of any article not in violation of the laws of another state, where satisfactory evidence is furnished that such article is manufactured or possessed exclusively for shipment to and consumption within that state.

5. **Repeal.** Amend sections 6 and 8, of chapter 164, Revised Laws, relative to misbranding and exceptions by striking out said sections.

6. **Standards.** Amend section 12, of chapter 164, Revised Laws, by inserting after the word "identity" in the fifth line, the words, standards of quality or fill of container, so that said section as amended will read as follows: **12. Enforcement; Rules; Inspections.** The state board of health is charged with the enforcement of this chapter. Said board may make rules and regulations for the proper enforcement thereof, including as a part of said rules and regulations, when not inconsistent with existing laws, the adoption of such definitions and standards of identity, standards of quality or fill of container as may from time to time be promulgated under the federal food, drug and cosmetic act, also similar adoption of regulations promulgated under the federal meat inspection act. It shall cause inspections to be made of the quality, condition and branding of foods and drugs found on sale, possessed for



sale, or in process of manufacture or distribution, and shall collect samples for analysis at its laboratories. All inspectors and other employees appointed by said board shall be permitted access at all reasonable hours to all places of business concerned in the manufacture, production, transportation, distribution and sale of foods and drugs; shall have power to open and examine any package or container of any kind containing, or believed to contain, any article of food or drugs which may be manufactured, distributed, sold or possessed for sale in violation of the provisions of this chapter and to take samples therefrom for analysis, tendering to the manufacturer, distributor or vendor the value thereof.

**7. Condemnation.** Amend chapter 164, Revised Laws, by adding at the end thereof the following new section: **20. Authority to Embargo and Condemn.**

I. Whenever a duly authorized agent of the state board of health finds or has probable cause to believe that any food or drug is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of this chapter, he shall affix to such article a tag or other appropriate marking, giving notice that such article is, or is suspected of being, adulterated or misbranded and has been detained or embargoed, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by such agent or the court. It shall be unlawful for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such permission.

II. When an article detained or embargoed under paragraph I has been found by such agent to be adulterated, or misbranded, he shall petition the courts in whose jurisdiction the article is detained or embargoed for a libel for condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded, he shall remove the tag or other marking.

III. If the court finds that a detained or embargoed article is adulterated or misbranded, such article shall, after entry of the decree, be destroyed at the expense of the claimant thereof, under the supervision of such agent, and all court costs and fees, and storage and other proper expenses, shall be taxed against the claimant of such article or his agent: Provided, that when the adulteration or misbranding can be

corrected by proper labeling, or processing of the article, the court, after entry of the decree and after such costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that such article shall be so labeled or processed, has been executed, may by order direct that such article be delivered to the claimant thereof for such labeling or processing under the supervision of an agent of the state board of health. The expense of such supervision shall be paid by the claimant. Such bond shall be returned to the claimant of the article on representation to the court by the board that the article is no longer in violation of this chapter, and that the expenses of such supervision have been paid.

IV. Whenever the state board of health or any of its authorized agents shall find in any vehicle, room, building, or other structure, any meat, sea food, poultry, vegetable, fruit or other perishable articles which are unsound, or contain any filthy, decomposed, or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe, the same being hereby declared to be a nuisance, the board, or its authorized agent, shall forthwith condemn and destroy the same.

8. **Embargo.** Amend chapter 194, Revised Laws, by adding after section 40 the following new section: **40-a. Authority to Embargo and Condemn.** Any article found in violation of this subdivision may be subject to embargo and condemnation in accord with the provisions of section 20, chapter 164, Revised Laws.

9. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1951.]

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## CHAPTER 26.

AN ACT RELATIVE TO THE LICENSING OF PRACTICAL NURSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Licensing Practical Nurses.** Amend the Revised Laws by inserting after chapter 257 the following new chapter:

## Chapter 257-A

### Licensing Practical Nurses

**1. Definition.** A person practices as a "licensed practical nurse" who has a valid license hereunder and performs for compensation or personal profit such duties as are required in the physical care of a convalescent, chronically ill, aged or infirm patient, in assisting a registered professional nurse with care of an acutely ill patient, and in carrying out such medical orders as are prescribed by a licensed physician, which require a knowledge of simple nursing procedure, but do not require the professional knowledge and skills prescribed for professional nursing.

**2. Administration.** The board of nurse examiners constituted under the provisions of chapter 257 of the Revised Laws, as inserted by chapter 285, Laws of 1947, shall administer the provisions of this chapter. Said board may issue licenses to applicants to be known as licensed practical nurses and shall formulate and promulgate rules and regulations from time to time as may be necessary for the proper conduct of the care of the sick by a licensed practical nurse. The board shall approve the establishment of schools for the training of practical nurses, shall prescribe the courses of instruction in connection therewith, and shall provide for appropriate examinations before a license to practice as a licensed practical nurse may be issued.

**3. Qualification for Applicants.** An applicant for a license to practice as a licensed practical nurse shall submit to the board written evidence under oath, that the applicant (a) is eighteen years of age or over; (b) is a citizen of the United States, or has legally declared his intention of becoming a citizen or is a citizen of a Canadian province; (c) is of good moral character; (d) is in good physical and mental health; (e) has completed one year of high school or its equivalent and such other preliminary qualifications as the board may prescribe.

**4. License.** I. By examination. An applicant for license, except as provided in paragraph II and in section 5, shall be required to pass a written examination in such subjects as the board may determine. Each written examination may be supplemented by an oral or practical examination. Upon successfully passing such examination the board shall

issue to the applicant a license to practice as a licensed practical nurse. II. Without examination. The board may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as such, or to a person entitled to perform similar services under a different title, under the laws of another state, territory or foreign country if, in the opinion of the board, the applicant meets the other requirements for licensed practical nurses.

**5. Licensing for Present Practitioners.** Any practical nurse who has been engaged in practical nursing in this state during one year prior to January 1, 1952, and who shall submit to the board written evidence, under oath, that he (a) is eighteen years of age or over; (b) is a citizen of the United States, or has legally declared his intention of becoming a citizen or who is a citizen of a Canadian province; (c) is of good moral character; (d) is in good physical and mental health; (e) has had at least three years of experience in the care of the sick, which evidence is also signed by two physicians licensed in New Hampshire having personal knowledge of the applicant's qualifications, and by two persons who have employed the applicant in the capacity of a practical nurse for at least fourteen days within one year prior to the application, or has qualifications equal to these requirements as determined by the board, shall be licensed by said board, upon the payment of the required fee of ten dollars.

**6. Title and Abbreviation.** Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title Licensed Practical Nurse and the abbreviation L. P. N.

**7. Fees.** Each person applying for license to practice as a licensed practical nurse, or for examination and such license shall pay to the commissioner of education a fee of ten dollars. The commissioner shall pay all fees so received and all fees from annual permits to the state treasurer who shall keep the same in a separate fund to be used only for the purposes of the board of nurse examiners hereunder.

**8. Revocation.** The board may revoke any license issued hereunder for sufficient cause after fourteen days' notice in writing to the holder thereof and after a hearing. Such notice shall contain a statement of the grounds upon

which the complaint is based. The hearing upon such complaint shall be conducted in private except upon special request of the party complained of. No person shall practice as a licensed practical nurse after his license has been revoked. After such revocation application may be made to the board for restoration of license after a period of six months. The board may reinstate such applicant upon terms which, in the opinion of the board, will protect the interest of the public.

**9. Annual Permit to Practice.** Any licensed practical nurse who intends to engage in such practice in this state, shall annually before January first file his name and address with the commissioner of education and pay to the commissioner a fee of one dollar whereupon, if he has complied with the requirements of this chapter and the rules and regulations of the board, he shall be granted a permit which shall entitle him to engage in such practice for the period ending on December thirty-first.

**10. Prohibition.** No person shall claim to be a licensed practical nurse in this state unless he has a valid license and annual permit to so practice. Provided, however, that nothing in this act shall be construed to prohibit any person from engaging in practice as a practical nurse without such license and permit so long as he does not claim or represent himself to be a licensed practical nurse nor use the title Licensed Practical Nurse or its abbreviation L. P. N.

**11. False Representation.** Any person who shall wilfully make any false representation in applying for a license or annual permit hereunder shall be fined not less than one hundred nor more than five hundred dollars.

**12. Penalty.** Whoever violates any other provision of this chapter shall be fined not less than one hundred nor more than two hundred dollars.

**2. Takes Effect.** This act shall take effect as of January 1, 1952, provided that applications for licenses and annual permits may be accepted prior to said date and licenses and permits issued effective as of January 1, 1952.

[Approved March 15, 1951.]

## CHAPTER 27.

AN ACT RELATING TO THE POWERS, DUTIES AND MEMBERSHIP OF  
THE BOARD OF MEDICAL EXAMINERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Board of Medical Examiners.** Amend section 3 of chapter 250 of the Revised Laws by striking out the first word "the" and inserting in place thereof the words, all appointed, so that said section shall read as follows: 3. **Eligibility.** All appointed members shall be residents of the state, regularly licensed to practice medicine and shall have been actively engaged in the practice of their profession within the state for at least five years.

2. **State Health Officer.** Amend section 4 of chapter 250 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. **Appointment; Term; Removal.** The state health officer shall be a member of the board, ex officio. The other members shall be appointed, as their terms expire, by the governor, with the advice and consent of the council. Their terms of office shall be five years and until their successors are appointed and qualified. Appointments to fill vacancies shall be for the unexpired term. The governor and council may remove any appointed member of the board for sufficient cause.

3. **Secretary.** Amend section 5 of chapter 250 of the Revised Laws by striking out said section and inserting in place thereof the following: 5. **Meetings; Officers.** They shall meet annually and as much oftener as the business requires. At each annual meeting a president shall be chosen from the membership of the board. The state health officer shall serve as secretary. The duties of these officers shall be those usually pertaining to such offices.

4. **Medical Examiners.** Amend chapter 250 of the Revised Laws by inserting after section 7 the following new section: 7-a. **Rules and Regulations.** The board may make and promulgate necessary rules and regulations governing the procedure of the board, including procedure to be followed for the filing of charges and conduct of hearings with respect to suspension and revocation of licenses, the admission of applicants for examination, the setting of reasonable fees for tran-

scribing and transferring records and other services, and for the administration of the provisions of this chapter.

**5. Aliens.** Amend chapter 250 of the Revised Laws by inserting after section 12 the following new section: **12-a. Temporary License; Aliens.** The board may issue a license for a term of five years to an alien physician who has taken out his first citizenship papers and who otherwise qualifies for a license under section 10 or 13. If during the five-year period the said alien physician shall become a citizen of the United States, upon adequate proof a permanent license shall be issued to such physician.

**6. Temporary or Restricted License.** Amend section 13 of chapter 250 of the Revised Laws, as amended by section 7, chapter 8, Laws of 1950, by striking out said section and inserting in place thereof the following. **13. License without Examination.** The board may register and issue a permanent, temporary or restricted license, as it deems advisable for the best interest of the state, to any applicant who is legally qualified to treat human ailments or practice medicine in any state or country whose requirements the board deems equal to those of this state, upon payment of a fee of fifty dollars.

**7. Licenses.** Amend section 14 of chapter 250 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. Suspension and Revocation.** The board may suspend or revoke the license of any licensee who has obtained it by fraudulent means, who is insane, who has been convicted of any crime punishable by imprisonment in the state prison, who is guilty of malpractice or gross misconduct in the practice of his profession as such licensee, or whose moral character or personal habits are such as to unfit him for the practice of medicine.

**8. Procedure.** Amend section 15 of chapter 250 of the Revised Laws by inserting after the word "to" in the second line the words, suspend or, so that said section as amended shall read as follows: **15. Notice.** They shall give the licensee reasonable notice of a proceeding to suspend or revoke his license, the cause alleged against him and the time and place of the hearing thereon.

**9. Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1951.]

## CHAPTER 28.

AN ACT RELATING TO THE PRACTICE OF PHYSICAL THERAPY BY  
REGISTERED PHYSICAL THERAPISTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Definitions.** In this act, unless the context otherwise requires: I. "Physical Therapy" or physiotherapy means the treatment of any bodily or mental condition of any person by the use of the physical, chemical and other properties of heat, light, water, electricity, massage, and therapeutic exercise which includes physical rehabilitation procedures. The use of roentgen rays and radium for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used in this act. II. "Physical therapist" means a person who practices physical therapy. III. "Board" means the board of registration in medicine.

2. **Conditions of Registration.** To be eligible for registration by the board as a physical therapist an applicant must: (a) be at least twenty-one years old; (b) be of good moral character; (c) have completed an approved course in physical therapy in a school maintaining at that time a standard satisfactory to the board; (d) pass to the satisfaction of the board an examination conducted by it or approved by it to determine his fitness for practice as a physical therapist.

3. **Original Registration.** The board shall register as a physical therapist any person who applies for such registration on or before December 31, 1951, who at the time of the passage of this act was registered by the American Registry of Physical Therapists, and was practicing physical therapy in the state of New Hampshire. The applicant for any original registration hereunder shall pay the board a fee of five dollars at the time of making such application.

4. **Reciprocity.** In lieu of examination the board may, in its discretion, register as a physical therapist, without examination, on the payment of the required fee, an applicant for registration who is a physical therapist registered by the American Registry of Physical Therapists or under the laws of another state or territory, whose requirements the board deems equal to those in this state.



**5. Examinations.** The board shall examine or approve examination for applicants for registration as physical therapists at such times and places as it may determine. It shall employ two registered physical therapists to aid it in such examinations. The examinations shall embrace such subjects as the board deems necessary to determine the applicant's fitness.

**6. Registration.** The board shall register as a physical therapist each applicant who proves to the satisfaction of the board his fitness for registration under the terms of this act. It shall issue to each person registered a certificate of registration, which shall be prima facie evidence of the right of the person to whom it is issued to represent himself as a registered physical therapist, subject to the conditions and limitations of this act.

**7. Renewal of Registration.** Applications for renewal of registration shall be filed on or before December thirty-first of each year accompanied by a fee of one dollar. All registrations issued under the provisions of this act shall expire on the thirty-first day of December each year unless previously suspended or revoked. Applications filed after the thirty-first day of December or before the fifteenth day of January must be accompanied by a fee of one dollar in addition to the renewal fee. All renewal registrations granted between January first and January fifteenth, inclusive, shall be retroactive to January first. An application for registration after January fifteenth shall only be granted on payment of a fee of three dollars.

**8. Revocation and Suspension of Registration.** The board may suspend or revoke the registration of any registrant who has obtained it by fraudulent means, who is insane, who has been convicted of any crime punishable by imprisonment in the state prison, who is guilty of malpractice or gross misconduct in the practice of his profession as such registrant, or whose moral character or personal habits are such as to unfit him for the practice of physical therapy; or who has treated or undertaken to practice independent of the prescription, direction or supervision of a person licensed in this state to practice medicine and surgery. Reasonable notice of a proceeding to suspend or revoke the registration of a registrant shall be given. The notice shall contain also the cause alleged against him and the time and place of the hearing.

**9. False Claims of Registration Forbidden.** A person who is not registered under this act as a physical therapist or whose registration has been suspended or revoked, or whose registration has lapsed and has not been renewed, who uses in connection with his name the words or letters "R.P.T.," "Registered Physical Therapist," or any other letters, words or insignia indicating or implying that he is a registered physical therapist, or who in any other way, orally, or in writing, or in print, or by sign, directly or by implication, represents himself as a registered physical therapist shall be fined not more than fifty dollars for each offense.

**10. Practice of Registered Physical Therapists.** A person registered under this act as a physical therapist shall not treat human ailments by physical therapy or otherwise except under the prescription, supervision, and direction of a person licensed to practice medicine and surgery. Nothing in this act shall be construed as authorizing a registered physical therapist to practice medicine, osteopathy, chiropractic, or any other form or method of healing except physiotherapy.

**11. Practice of Physical Therapy by Unregistered Persons.** Nothing contained in this act shall be construed to limit or prevent practice of physical therapy by any person not registered under the act, if such person does not represent himself to be a registered physical therapist.

**12. Powers and Duties of Board.** The board is authorized to adopt reasonable rules and regulations to carry this act into effect and may amend and revoke such rules and regulations at its discretion. The board shall keep a record of its proceedings under this act and a register of all persons registered under it. The register shall show the names of every living registrant, his last known place of business and last known place of residence, and the date and number of his registration and certificate as a registered physical therapist. The board shall once each year compile a list of registered physical therapists. All fees collected by the board under the provisions hereof shall be used for the purposes of this act.

**13. Short Title of Act.** This act may be cited as the "Physical Therapists Practice Act."

**14. Takes Effect.** This act shall take effect upon its passage.

[Approved March 20, 1951.]

## CHAPTER 29.

AN ACT RELATING TO RIGHTS OF SURVIVING HUSBAND AND WIFE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Widow, Personalty; Testate.** Amend paragraph II of section 10 of chapter 359 of the Revised Laws by striking out the words "five thousand" where they occur in the first and the third lines and inserting in place thereof the words, seven thousand five hundred, so that said paragraph as amended shall read as follows: II. If testate, and he leaves no issue surviving him, seven thousand five hundred dollars of the value thereof, and also one half in value of the remainder above said seven thousand five hundred dollars.

**2. Widow, Personalty; Intestate.** Amend paragraph III of section 10 of chapter 359 of the Revised Laws by striking out the words "seven thousand five hundred" where they occur in the first and second lines and the third line and inserting in place thereof the words, ten thousand, so that said paragraph as amended shall read as follows: III. If intestate, and he leaves no issue surviving him, ten thousand dollars of the value thereof, and also one half in value of the remainder above said ten thousand dollars.

**3. Widow, Real Estate; Testate.** Amend paragraph II of section 11 of chapter 359 of the Revised Laws by striking out the words "five thousand" where they occur in the first, the third, and the fifth lines and inserting in place thereof the words, seven thousand five hundred, so that said paragraph as amended shall read as follows: II. If testate, and he leaves no issue surviving him, seven thousand five hundred dollars of the value thereof, and also one half in value of the remainder above said seven thousand five hundred dollars; and the same shall be assigned to her in the same manner as dower is assigned. But where the inventory value of all his real estate does not exceed seven thousand five hundred dollars, she shall be entitled to the whole of said remainder and no assignment of the same to her shall be required unless some party in interest shall petition the probate court therefor.

**4. Widow, Real Estate; Intestate.** Amend paragraph III of section 11 of chapter 359 of the Revised Laws by striking out the words "seven thousand five hundred" where they occur

in the first and second lines, the third line, and the fifth and sixth lines and inserting in place thereof the words, ten thousand, so that said paragraph as amended shall read as follows: III. If intestate, and he leaves no issue surviving him, ten thousand dollars of the value thereof, and also one half in value of the remainder above said ten thousand dollars; and the same shall be assigned to her in the same manner as dower is assigned. But where the inventory value of all his real estate does not exceed ten thousand dollars she shall be entitled to the whole of said remainder and no assignment of the same to her shall be required unless some party in interest shall petition the probate court therefor.

**5. Husband, Personalty; Testate.** Amend paragraph II of section 12 of chapter 359 of the Revised Laws by striking out the words "five thousand" where they occur in the first and the third lines and inserting in place thereof the words, seven thousand five hundred, so that said paragraph as amended shall read as follows: II. If testate, and she leaves no issue surviving her, seven thousand five hundred dollars of the value thereof, and also one half in value of the remainder above said seven thousand five hundred dollars.

**6. Husband, Personalty; Intestate.** Amend paragraph III of section 12 of chapter 359 of the Revised Laws by striking out the words "seven thousand five hundred" where they occur in the first and second lines and the third line and inserting in place thereof the words, ten thousand, so that said paragraph as amended shall read as follows: III. If intestate, and she leaves no issue surviving her, ten thousand dollars of the value thereof, and also one half in value of the remainder above said ten thousand dollars.

**7. Husband, Real Estate; Testate.** Amend paragraph III of section 13 of chapter 359 of the Revised Laws by striking out the words "five thousand" where they occur in the first, the third, and the fifth lines and inserting in place thereof the words, seven thousand five hundred, so that said paragraph as amended shall read as follows: III. If testate, and she leaves no issue surviving her, seven thousand five hundred dollars of the value thereof, and also one half in value of the remainder above said seven thousand five hundred dollars; and the same shall be assigned to him in the same manner as dower is assigned to a widow. But where the inventory value of all

her real estate does not exceed seven thousand five hundred dollars, he shall be entitled to the whole of said remainder, and no assignment of the same to him shall be required unless some party in interest shall petition the probate court therefor.

**8. Husband, Real Estate; Intestate.** Amend paragraph IV of section 13 of chapter 359 of the Revised Laws by striking out the words "seven thousand five hundred" where they occur in the first and second lines, the third line, and the fifth and sixth lines and inserting in place thereof the words, ten thousand, so that the said paragraph as amended shall read as follows: IV. If intestate, and she leaves no issue surviving her, ten thousand dollars of the value thereof, and also one half in value of the remainder above said ten thousand dollars; and the same shall be assigned to him in the same manner as dower is assigned to a widow. But where the inventory value of all her real estate does not exceed ten thousand dollars he shall be entitled to the whole of said remainder and no assignment of the same to him shall be required unless some party in interest shall petition the probate court therefor.

**9. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1951.]

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## CHAPTER 30.

### AN ACT RELATIVE TO CLASSIFICATION OF HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** Amend section 4, part 1 of chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945, by adding the following new subsection: IV-a. The number of inhabitants for the determination of class IV highways shall be those shown by the latest available federal census; provided, that in towns where colleges or other institutions of higher learning are located and students residing within the town during the school year only, have been included in the federal census figures, the commissioner of public works and highways shall deduct from the federal census figures the

number of such students as shown by a signed statement by the head of the college or other institution of higher learning.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1951.]

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## CHAPTER 31.

### AN ACT RELATIVE TO SNOW FENCES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Snow Fences; Construction and Removal.** Amend section 13, part 10, chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **13. Snow Fences; Construction and Removal.** The department of public works and highways may, after October 15, erect a fence upon property adjacent to any class I, II, or III highway in order to prevent snow from drifting thereon. The view from the landowner's buildings shall not be obstructed by such fence unless he consents, and the fence shall be removed on or before May first.

**2. Cities and Towns.** Amend section 26, part 16, chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **26. Snow Fences; Construction and Removal.** Any city or town may, after October 15, erect a fence upon property adjacent to a public highway in order to prevent snow from drifting thereon. The view from the landowner's buildings shall not be obstructed by such fence unless he consents, and the fence shall be removed on or before May first.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1951.]

**CHAPTER 32.****AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Bradley Lake and all tributaries thereto, in the towns of Andover, Salisbury and Warner, from their sources to the outlet dam of Bradley Lake which is the source of public water supply for the village of Andover, Class A.

II. The Water Supply Stream and its tributaries located on the northeast slope of the Uncanoonuc Mountains in the town of Goffstown, from their sources to the lower dam of the Goffstown public water supply system, Class A.

III. Loon Pond and its tributaries in the town of Hillsborough, from their sources to the outlet dam of Loon Pond which is the source of public water supply for the town of Hillsborough, Class A.

IV. Camp Brook and its tributaries in the town of Hanover from their sources to the overflow spillway of the lower reservoir of the Hanover public water supply, Class A.

V. Newton Brook and its tributaries in the towns of Cornish, Croydon, Grantham and Plainfield, from their sources to the overflow spillway at the intake of the Meriden Water Company, Class A.

VI. Boston Lot Reservoir and its tributaries in the town of Lebanon, from their sources to the overflow spillway of said reservoir, being a part of the public water supply for West Lebanon, Class A.

**2. Takes Effect.** This act shall take effect July 1, 1951.

[Approved March 21, 1951.]

### CHAPTER 33.

#### AN ACT RELATING TO THE ANNUAL REPORT OF THE INSURANCE COMMISSIONER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Annual Report.** Amend section 23 of chapter 321 of the Revised Laws by striking out said section and inserting in place thereof the following: **23. Reports.** He shall annually, on or before November 1 in each year, file with the secretary of state his annual report, which shall include an account of all sums collected by him for the use of the state during the preceding fiscal year, and of the expenses of his office, together with such pertinent statistical information about the operation of insurance companies within this state as he may deem to be of use to the legislature and the people of the state. He may add such recommendations as he shall deem proper.

**2. Takes Effect.** This act shall take effect upon its passage and shall be deemed to apply to the report to be made for the year 1950.

[Approved March 21, 1951.]

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### CHAPTER 34.

#### AN ACT RELATIVE TO THE DEFINITION OF TOTAL UNEMPLOYMENT, THE WEEKLY BENEFIT AMOUNT FOR TOTAL UNEMPLOYMENT AND MAXIMUM TOTAL AMOUNT OF BENEFITS PAYABLE DURING A BENEFIT YEAR, AND ALSO RELATIVE TO BENEFIT ELIGIBILITY CONDITIONS, UNDER THE UNEMPLOYMENT COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Total Unemployment.** Amend paragraph (1), subsection N, section 1 of chapter 218 of the Revised Laws, by striking out the whole of the same and inserting in place thereof the following: (1) An individual shall be deemed "totally unemployed" in any week with respect to which no wages are payable to him and during which he performs no services. An



individual who is not entitled to vacation pay from his employer shall be deemed to be in "total unemployment" during the entire period of any general closing of his employer's place of business for vacation purposes, notwithstanding his prior assent, direct or indirect, to the establishment of such vacation period by his employer.

**2. Increase in Benefits.** Amend subsection B, section 2 of said chapter 218, as amended by section 5, chapter 56 of the Laws of 1943, section 1, chapter 78 of the Laws of 1945, section 7, chapter 59 of the Laws of 1947, section 1, chapter 30 of the Laws of 1949, by striking out the whole of the same and inserting in place thereof the following: B. Weekly Benefit Amount for Total Unemployment and Maximum Total Amount of Benefits Payable During Any Benefit Year. (1) Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection.

A	B	C
Total Annual Earnings In Base Period	Weekly Benefit Amount	Maximum Benefits
\$300.00 - \$349.99	\$7	\$182
350.00 - 399.99	8	208
400.00 - 499.99	9	234
500.00 - 599.99	10	260
600.00 - 699.99	11	286
700.00 - 799.99	12	312
800.00 - 899.99	13	338
900.00 - 999.99	14	364
1,000.00 - 1,099.99	15	390
1,100.00 - 1,199.99	16	416
1,200.00 - 1,299.99	17	442
1,300.00 - 1,399.99	18	468
1,400.00 - 1,499.99	19	494

1,500.00 - 1,599.99	20	520
1,600.00 - 1,699.99	21	546
1,700.00 - 1,799.99	22	572
1,800.00 - 1,899.99	23	598
1,900.00 - 1,949.99	24	624
1,950.00 - 1,999.99	25	650
2,000.00 - 2,099.99	26	676
2,100.00 - 2,199.99	27	702
2,200.00 - and over	28	728

(2) If at any time the fund shall fail to equal or fail to exceed twelve million dollars and shall be maintained at less than that figure for a period of two consecutive calendar months, each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The schedule delineated in this paragraph shall take effect on the first day of the month immediately following the two-month period in this paragraph above mentioned.

A Total Annual Earnings In Base Period	B Weekly Benefit Amount	C Maximum Benefits
\$300.00 - \$349.99	\$6	\$138
350.00 - 399.99	7	161
400.00 - 499.99	8	184
500.00 - 599.99	9	207
600.00 - 699.99	10	230
700.00 - 799.99	11	253
800.00 - 899.99	12	276
900.00 - 999.99	13	299
1,000.00 - 1,099.99	14	322
1,100.00 - 1,199.99	15	345
1,200.00 - 1,299.99	16	368
1,300.00 - 1,399.99	17	391
1,400.00 - 1,499.99	18	414
1,500.00 - 1,599.99	19	437

1,600.00 - 1,649.99	20	460
1,650.00 - 1,699.99	21	483
1,700.00 - 1,799.99	22	506
1,800.00 - 1,899.99	23	529
1,900.00 - and over	24	552

(3) It being further provided that in the event the provisions of paragraph (2) of this subsection become effective, the provisions of paragraph (1) of this subsection shall not again become effective for any benefit year thereafter unless the fund shall equal or exceed twelve million dollars during the two consecutive months immediately preceding the beginning of that benefit year.

**3. Benefit Eligibility Conditions.** Amend paragraph (2), subsection D, section 3 of said chapter 218, as amended by section 4, chapter 56 of the Laws of 1943, section 8, chapter 138 of the Laws of 1945, section 11, chapter 59 of the Laws of 1947, chapter 267 of the Laws of 1947, section 2, chapter 30 of the Laws of 1949, and section 1, chapter 99 of the Laws of 1949, by striking out the whole of the same and inserting in place thereof the following: (2) Unless he has annual earnings of not less than three hundred dollars within the base period in accordance with subsection P (2) of section 1.

**4. Effective Date.** This act shall take effect as of April 1, 1951 provided that benefits for all payable weeks ending after the effective date of said act shall be paid and treated in all respects in accordance with the provisions of the unemployment compensation law as amended by this act.  
[Approved March 21, 1951.]

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## CHAPTER 35.

### AN ACT RELATING TO QUARANTINE OR ISOLATION OF A PERSON WITH A COMMUNICABLE DISEASE IN A SUITABLE STATE INSTITUTION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Institution.** Amend section 3 of chapter 156 of the Revised Laws as inserted by section 1 of chapter 241 of the Laws of 1949 by inserting after the word "place" in the

ninth line the words, or suitable state institution, so that said section as amended shall read as follows: **3. Quarantine or Isolation.** A health officer, whenever it shall come to his knowledge that a case or presumptive case of infectious or contagious disease exists within his jurisdiction, shall enforce as minimum requirements the provisions of all regulations established by the state board of health relating to the isolation and quarantine of cases, carriers, or suspected cases or carriers as may be necessary to prevent the spread of such disease, and may immediately cause any person infected with such disease to be removed to some suitable place or suitable state institution if in the opinion of the health officer or state health officer, such person can be so removed without endangering the life of the person; if such infected person cannot be removed without danger to his life, the health officer shall impose such isolation and quarantine measures upon the infected person as may be deemed necessary to prevent the spread of disease to others and thereby protect the public health. Any person having or suspected of having a communicable disease, any person who is a communicable disease carrier or contact or any person who is suspected of being a communicable disease carrier or contact shall, when directed by a health officer, submit to an examination for the purpose of determining the existence of a communicable disease. Such persons shall submit specimens of body secretions, excretions, body fluids, and discharges for laboratory examinations when so directed by a health officer or his agent.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 22, 1951.]

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## CHAPTER 36.

AN ACT RELATIVE TO THE DEFINITION OF "MOST RECENT EMPLOYER," DETERMINATION OF CLAIMS, CHARGEABILITY OF EMPLOYERS FOR BENEFITS PAID, AND MERIT RATINGS OF EMPLOYERS UNDER THE UNEMPLOYMENT COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Most Recent Employer.** Amend subsection L, section 1

of chapter 218 of the Revised Laws, as amended by section 4, chapter 59 of the Laws of 1947, by striking out the whole of the same and inserting in place thereof the following: L. "Most Recent Employer." "Most recent employer" means the employer in whose employment a claimant last rendered services for wages as defined in section 1-P of this chapter.

**2. Initial Determination.** Amend subsection B, section 5 of said chapter 218, as amended by section 11, chapter 138 of the Laws of 1945, section 14, chapter 59 of the Laws of 1947, and section 8, chapter 185 of the Laws of 1949, by striking out the whole of the same and inserting in place thereof the following: B. Initial Determination. A representative designated by the commissioner, and hereinafter referred to as a deputy, shall promptly examine the claim of an individual, and on the basis of the facts found by him, either shall determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, and in accordance with the provisions of section 6-C of this chapter, the proper employer's account, if any, against which benefits of an eligible individual shall be charged, if and when paid, or shall refer such claim or any question involved therein to an appeal tribunal, which shall make its decision with respect thereto in accordance with the procedure described in subsection C of this section. The deputy shall promptly notify the claimant and any other interested parties of the decision and the reasons therefor. The deputy may for good cause reconsider his decision or any part thereof and shall promptly notify the claimant and such other interested parties of the denial of such application or of the change and the reasons therefor, as the case may be. No such redetermination shall be made after six months from the date of the original determination. Unless the claimant or any such interested party, within five calendar days after the delivery of the deputy's notification, or within seven calendar days after such notification was mailed to his last known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith; provided, however, that if sufficient grounds to justify or excuse a delay in filing an appeal within the time limit herein set forth are found by the commissioner, the time for filing said appeal may be extended. If an appeal is duly filed, benefits with respect to the period

prior to the final decision of the appeal tribunal shall be paid only after such decision; provided that if an appeal tribunal affirms a decision of a deputy allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid. Furthermore, if such an appeal is duly filed, benefits with respect to weeks of unemployment not in dispute and benefits payable pursuant to a determination or reconsidered determination in any amount not in dispute shall be paid promptly regardless of any appeal.

**3. Separate Accounts.** Amend subsection C, section 6 of said chapter 218, as amended by section 1, chapter 178 of the Laws of 1943, section 13, chapter 138 of the Laws of 1945, section 16, chapter 59 of the Laws of 1947, by striking out the whole of the same and inserting in place thereof the following: C. Separate Accounts. The commissioner shall maintain a separate account for each employer and shall credit his account with all contributions paid by him or on his behalf. But nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund, either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged against the account of the claimant's most recent employer.

In determining charge-backs to the most recent employer, no benefits will be charged back to an individual employer but shall be made against the fund if it is proven to the satisfaction of the commissioner that:

(1) Benefits are paid to an individual for unemployment immediately after the expiration of a period of disqualification for (a) voluntary leaving without good cause attributable to the employer, or (b) discharge for misconduct connected with his work;

(2) Benefits are paid to ex-servicemen on the basis of frozen credits;

(3) Benefits are paid to an unemployed woman during the period of uninterrupted unemployment next ensuing after childbirth;

(4) Benefits are paid and are not chargeable against any employer's account in accordance with the provisions of section 5-B of this chapter.

For the purposes of this subsection, the account of the most recent employer shall not be charged with benefits paid to a claimant whose work record with such employer totaled four (4) consecutive weeks or less of employment; but in such case the most recent employer with whom claimant's work record exceeded four (4) consecutive weeks or more of employment shall be charged if such employer would otherwise have been chargeable had not subsequent employment intervened.

The commissioner shall notify each employer of benefit charges made against said employer's account not less than once each quarter and during the quarter next ensuing after the charge-back of said benefits.

Any charges which are made against the account of any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received not later than sixty days after notification of the final quarter's benefit charges against said employer for the rating year has been mailed to the employer's last known address.

Any charges which on the occasion of the next previous calculation prior to the effective date of this section have been made against the account of any employer for merit rating purposes, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received within ninety days after the effective date of this section.

If objections to such charges duly and properly made are received, any redetermination of the amounts charged against an employer's account, of which the employer has been notified, shall be considered correct for all purposes unless objections to such redetermination are received within thirty days after such notification of said redetermination has been mailed to the employer's last known address. The commissioner shall, by general rules, prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

**4. Merit Ratings.** Amend subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949, section 1, chapter 251 of the Laws of 1949, by striking out the whole of the same and inserting in place thereof the following: D. Merit

Ratings. The commissioner shall for each calendar year classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience; such rate to become effective with the fiscal year beginning July 1, 1951 and on each succeeding fiscal year beginning on July 1 thereafter.

The pay roll factor in such computation will represent the average annual pay roll for the three immediately preceding consecutive calendar years prior to January 1 of the year to which the computation applies. The benefit factor will be represented by all benefits paid and charged against the account of that employer up to and including the preceding December 31.

No employer shall be entitled to a rate of less than 2.7 per centum unless and until as of January 1 of the year wherein the rate becomes applicable there had been three consecutive calendar years wherein the account of the employer was chargeable with benefits.

No employer shall be entitled to a merit rating under this subsection for any calendar year unless and until the balance of the unemployment compensation fund as of March 31 or September 30 of such calendar year equals or exceeds twelve million dollars, at which time the computations delineated in Schedule I will, in accordance with further provisions hereinbelow made, become effective and be applicable, it being provided, however, that if as of March 31 or September 30 of the year to which the rate is applicable, the balance of the unemployment compensation fund equals or exceeds eighteen million dollars, the computations delineated in Schedule II will, in accordance with further provisions hereinbelow made, become effective and be applicable.

It is further provided that the time the operation of a business of an employer was suspended because of the employer's service in the armed forces during World War II, or because of the employer's service in the armed forces of the United States or any of its allies or of the United Nations after July 1, 1950, shall be considered as if the business had been actively and continuously operating during such period.

Should the commissioner determine at any time that the solvency of the fund does not permit the adoption or maintenance of individually reduced contribution rates under this



subsection, he shall, for the purposes of this subsection, set a standard rate for all employers of 2.7 per centum per annum. The commissioner may make such change effective with the first day of any calendar quarter.

No employer shall be entitled to a merit rating under this subsection unless he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who, for the first time, loses his rate because of the foregoing and reestablishes his rights at a later date during the year to which a rate might have been applicable, may apply for the reinstatement of said rate to which he would have been entitled, to become effective for the last six months of the year to which said rate is applicable.

The computation date will be known as December 31 (to include contributions on that year's and prior years' employment paid through the succeeding January 31) and the effective date as July 1. If, as of the computation date, the total of all contributions paid on his own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, as hereinabove stated, the balance of the unemployment compensation fund as of March 31 or September 30 of the year to which the rate might be applicable equals or exceeds twelve million dollars but does not equal or exceed eighteen million dollars, his contribution rate, effective with the first day of the second succeeding calendar quarter, shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

### Schedule I

- (a) Two-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;
- (b) Four-tenths of one per centum if such excess equals or exceeds nine per centum of his average annual pay roll;
- (c) Seven-tenths of one per centum if such excess equals or exceeds ten per centum of his average annual pay roll;
- (d) Nine-tenths of one per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;
- (e) One and two-tenths per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(f) One and one-half per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll;

(g) One and seven-tenths per centum if such excess equals or exceeds fifteen per centum of his average annual pay roll.

If, such as hereinabove stated, the balance of the unemployment compensation fund as of March 31 or September 30 of the year to which the rate might be applicable equals or exceeds eighteen million dollars, his contribution rate, effective with the first day of the second succeeding calendar quarter, shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

### Schedule II

(a) Two-tenths of one per centum if such excess equals or exceeds five per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds six per centum of his average annual pay roll;

(c) Eight-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(d) One and one-tenth per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(e) One and five-tenths per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(f) One and eight-tenths per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(g) Two and one-tenth per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(h) Two and two-tenths per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll.

No employer shall be entitled to a contribution rate of less than one-half of one per centum.

No employer shall be entitled to have more than seven-tenths of one per centum subtracted from the contribution rate established in accordance with this subsection unless his contributions were at least twice the total benefits paid from the fund and chargeable to his account within the last preceding year ending March 31.

As used in this section after December 31, 1940, the term "annual pay roll" means the total amount of wages paid by an employer (regardless of the time of payment) for employment

during a calendar year, and the term "average annual pay roll" means the average of the annual pay rolls of an employer for the last three preceding calendar years.

Reports to an employer of the merit rating of said employer for the applicable rating period shall be furnished in such manner as the commissioner may prescribe, but in any event not less frequently than once every year. Any merit rating assigned to any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after notification of said employer's merit rate for the ensuing year has been mailed to the employer's last known address.

Any merit rating which prior to the effective date of this section has been assigned to any employer, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after the effective date of this section.

If objections to such merit rating duly and properly made are received, any redetermination of said merit rating, of which the employer has been notified, shall be considered correct for all purposes unless objections to such redetermination are received within thirty days after such notification of said redetermination has been mailed to the employer's last known address.

Except as otherwise provided in this section, whenever through inadvertence or mistake erroneous charges or credits are found to have been made to rating accounts, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but shall be used on the next computation date in calculating the future contribution rates.

**5. Repeal.** Subsection E, section 6 of said chapter 218, as amended by section 2, chapter 252 of the Laws of 1949, relative to merit ratings, is hereby repealed.

**6. Successorship.** Amend subsection F, section 6 of said chapter 218, as inserted by section 16, chapter 138 of the Laws of 1945, by striking out the whole of the same, renumbering and inserting in place thereof the following: E. Successorship. For the purposes of subsection D of this section, an employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any

employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an employing unit within the meaning of section 1-G of this chapter prior to such acquisition), and who intends to continue such organization, trade or business, immediately shall notify the commissioner thereof, and shall assume, for the purpose of liability, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and annual pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the commissioner to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to such separate account.

No rate of less than 2.7 per cent shall be permitted an employing unit succeeding to the experience of another employing unit pursuant to this subsection for any period subsequent to such succession except in accordance with regulations prescribed by the commissioner, which regulations shall be consistent with federal requirements for additional credit allowance in section 1602 of the Internal Revenue Code, and consistent with the provisions of this chapter, except that such regulations may establish a computation date for any such period different from the computation date generally prescribed by this chapter.

Unless hereinafter specifically provided the provisions of this subsection shall apply to acquisition prior, as well as subsequent, to the date this subsection becomes effective, and any employing unit which so acquired the trade, organization or business of any employer, or substantially all the assets thereof, prior to said effective date shall notify the commissioner within sixty days thereafter; provided, however, that in the case of acquisition prior to the date this subsection becomes effective, any new rate or rates obtained or acquired by virtue of this subsection shall be effective and controlling as of said effective date and not before.

**7. Takes Effect.** This act shall take effect March 31, 1951, provided that benefits paid to an eligible individual for total or partial unemployment occurring in any benefit year beginning after the effective date of this act shall be charged to the account of the last employer with whom said individual's work record exceeded four consecutive weeks or more of employment, it being further provided that if such condition is not met then said benefits in this section referred to shall be charged to the most recent employer as described in this chapter prior to the effective date of this act, and whose account was currently charged as the most recent employer at the time of the effective date of this act.  
[Approved March 23, 1951.]

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## CHAPTER 37.

AN ACT RELATING TO DUTIES OF SELECTMEN TO MAKE REPORTS TO  
TAX COMMISSION AND OF SCHOOL DISTRICT CLERK  
TO REPORT TO SELECTMEN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Selectmen.** Amend section 19 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: **19. Report to Tax Commission.** They shall, on or before July first in each year, transmit to the tax commission, upon blanks furnished by the commission for the purpose, a certificate showing the number of polls and total valuation of each class of property included in the inventory of polls and ratable estates of their respective towns, taken in April, the amount of taxes levied, and the rate per cent of taxation for all purposes that year.

**2. School District.** Amend section 19 of chapter 139 of the Revised Laws by striking out said section and inserting in place thereof the following: **19. Clerk.** The clerk shall keep a true record of all the doings of each meeting; shall deliver to the selectmen between June 1 and June 10 an attested copy of every vote to raise money; shall make an attested copy of any record of the district for any person upon request and tender of legal fees therefor; shall act as moderator of any

meeting until a moderator *pro tempore* shall be chosen, if the moderator is absent or the office has become vacant; and shall have the same power to administer oaths which the moderator has. If the clerk is absent at any meeting a clerk *pro tempore* shall be chosen.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 23, 1951.]

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## CHAPTER 38.

### AN ACT ESTABLISHING AN ADVISORY COMMITTEE TO THE BOARD OF NURSE EXAMINERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Nurse Examiners.** Amend chapter 257 of the Revised Laws, as amended by chapter 285 of the Laws of 1947, by inserting after section 13 the following new section: **13-a. Advisory Committee.** The commissioner of education, subject to the approval of the governor and council, shall appoint a committee of five members to be known as the advisory committee to the board of nurse examiners. The term of office of each shall be five years and until a successor is appointed and qualified, provided that of the first appointments one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. The commissioner in making appointments under the provisions of this section shall include a member of the New Hampshire Medical Society, a member of the New Hampshire Hospital Association, a member of the education profession and two other persons interested in nurse education. The members of said committee shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties hereunder. The commissioner of education shall designate the chairman of said committee. It shall be the duty of said committee to meet at least twice a year with the board of nurse examiners for the purpose of assisting said board in more fully carrying out the provisions of this chapter.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 23, 1951.]

## CHAPTER 39.

### AN ACT RELATING TO THE ENUMERATION OF CHILDREN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Enumeration of Children.** Amend section 37 of chapter 135 of the Revised Laws by striking out said section and inserting in place thereof the following: **37. Enumeration of Children.** Agents appointed by school boards of school districts shall annually make an enumeration of the children of each sex from birth through eighteen years of age in each school district as of September 1 giving such items in regard to each child as may be required by the state board of education, and shall make a report thereof to the school board by September 10. The school board shall make a report on the enumeration of children by October 1 to the state board of education.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 23, 1951.]

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## CHAPTER 40.

### AN ACT RELATIVE TO USE OF FALSE NAMES FOR POLITICAL ENDORSEMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. False Names or Endorsement.** Amend section 14 of chapter 41 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. False Documents; Names or Endorsement.** Any person who shall, without authority, sign the name of any other person to any letter or other document, or falsely represent that any other person has written such letter or document, knowing such representation to be false, for the purpose of influencing votes, or who shall by false representation, use, employ or assign the name of any other person, or a fictitious name on a radio or television broadcast or other means of communication, to signify endorsement of a political party, candidates or pro-

grams, or for the purpose of influencing votes, shall be fined not more than one thousand dollars or imprisoned not more than one year or both.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 23, 1951.]

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## CHAPTER 41.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Suncook River and its tributaries, in the towns of Alton, Barnstead, Farmington, Gilford, Gilmanton, Loudon, New Durham, Northwood, Pittsfield and Strafford, from their sources to Whites Dam, just above the Village of Pittsfield, Class B-1.

II. Little Suncook River and its tributaries, in the towns of Deerfield, Epsom, Northwood, Pittsfield and Strafford, from their sources to the outlet dam of Northwood Lake, Class B-1.

III. Little Suncook River and its tributaries, in the towns of Deerfield, Epsom, Pittsfield and Northwood, from the outlet dam of Northwood Lake to confluence of Suncook River, Class B-2.

IV. Soucook River and its tributaries, in the towns of Belmont, Canterbury, Chichester, Concord, Gilmanton, Loudon, Northfield and Pembroke, from their sources to confluence of the Merrimack River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.

[Approved March 27, 1951.]



## CHAPTER 42.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Oliverian Brook and its tributaries, in the towns of Haverhill, Benton, and Warren, upstream from the point just below the confluence of Oliverian Brook and North Branch in the village of East Haverhill, Class B-1.

II. Indian Pond Brook and Bean Brook and their tributaries, in the towns of Piermont and Orford, from their sources to confluence with the Connecticut River, Class B-1.

III. Jacobs Brook and its tributaries, in the towns of Orford, Lyme, Wentworth and Dorchester, from their sources to confluence with the Connecticut River, Class B-1.

IV. Clay Brook and its tributaries, in the towns of Orford and Lyme, from their sources to confluence with the Connecticut River, Class B-1.

V. Grant Brook and its tributaries, in the town of Lyme, from their sources to confluence with the Connecticut River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 28, 1951.]

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## CHAPTER 43.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance

with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Cohas Brook and its tributaries, in the towns of Auburn, Chester, Derry, Londonderry and Manchester, except Massabesic Lake and its tributaries, from their sources to the outlet spillway of Pine Island Park Pond, Class B-1.

II. South Branch Piscataquog River and its tributaries, in the towns of Bennington, Deering, Francestown, Greenfield, Lyndeborough, Mont Vernon, New Boston and Weare, from their sources to the dam at the old Grist Mill in the village of New Boston, Class B-1.

III. Piscataquog River and its tributaries, in the towns of Deering, Dunbarton, Francestown, Goffstown, Henniker, Hopkinton, New Boston and Weare, from their sources to its confluence with the South Branch Piscataquog River, Class B-1.

IV. Middle Branch Piscataquog River and its tributaries, in the towns of Francestown, New Boston and Weare, from their sources to confluence of the South Branch Piscataquog River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 28, 1951.]

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## CHAPTER 44.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Hewes Brook and its tributaries, in the towns of Lyme and Hanover, from their sources to confluence with the Connecticut River, Class B-1.

II. Camp Brook and its tributaries, in the town of Hanover, from the overflow spillway of the lower Hanover Reservoir to confluence with the Connecticut River, Class B-1.

III. Bloods Brook and its tributaries, in the towns of Lebanon and Plainfield, from the overflow spillway at the intake of the Meriden Water Company to confluence with the Connecticut River, Class B-1.

IV. Blow-Me-Down Brook and its tributaries, in the towns of Cornish, Plainfield and Croydon, from their sources to the outlet dam of Blow-Me-Down Pond, Class B-1.

V. Eastman Brook and its tributaries, in the towns of Piermont, Haverhill, Benton and Warren, from their sources to the so-called Morrison Dam (located approximately 50 yards downstream from the Dartmouth College Highway), Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 28, 1951.]

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## CHAPTER 45.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. North Branch Contoocook River and its tributaries, in the towns of Antrim, Hillsborough, Nelson, Stoddard and Windsor, from their sources to the outlet of Jackman Reservoir, Class B-1.

II. Beards Brook and its tributaries, in the towns of Bradford, Hillsborough, Stoddard, Washington and Windsor, from their sources to confluence with the North Branch Contoocook River, Class B-1.

III. Isinglass River and its tributaries, in the towns of Barrington, Farmington, Northwood, Rochester and Strafford, from their sources to confluence with the Cocheco River, Class B-1.

IV. Bellamy River and its tributaries, in the towns of Barrington, Dover, Lee and Madbury, from their sources to the dam of Sawyer's Mill of the American Woolen Co., Dover, Class B-1.

V. Baker River and its tributaries, in the towns of Benton, Canaan, Dorchester, Ellsworth, Groton, Orange, Orford, Piermont, Rumney, Warren, Wentworth and Woodstock, from their sources to a point just below the confluence of Stinson Brook and the Baker River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 28, 1951.]

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## CHAPTER 46.

### AN ACT PROHIBITING THE USE OF POWER BOATS ON LAKE WHITEMORE IN THE TOWN OF BENNINGTON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Prohibition.** On and after the date of the passage of this act, no person shall use or operate any motor boat or other boat equipped with an outboard motor on the waters of Lake Whitemore in the town of Bennington.

**2. Penalty.** Whoever violates any of the provisions of the preceding section shall be fined not more than fifty dollars.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 28, 1951.]

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## CHAPTER 47.

### AN ACT RELATING TO REPRESENTATION OF THE DEPARTMENT OF AGRICULTURE ON THE COUNCIL ON RESOURCES AND DEVELOPMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Department of Agriculture.** Amend section 1 of chapter 249-A of the Revised Laws as inserted by part 12 of chapter

5 of the Laws of 1950 by inserting after the second word "commission" in the fifth line the words, department of agriculture, so that said section as amended shall read as follows: **1. Council Established.** There shall be a council on resources and development consisting of delegates from each of the following state agencies chosen in the manner hereinafter provided: Fish and game commission, planning and development commission, New Hampshire water pollution commission, department of agriculture, forestry and recreation commission, and New Hampshire water resources board. Each delegate shall hold office as a member of the council until the end of the term for which he was appointed to his respective agency. They shall serve without compensation but may be reimbursed for their reasonable expenses incurred in the performance of their duties.

**2. Delegate from Agricultural Department.** Amend section 4 of chapter 249-A of the Revised Laws as inserted by part 12 of chapter 5 of the Laws of 1950 by inserting after the word "Laws" in the seven line the words, the department of agriculture, as established by section 1, chapter 223 of the Revised Laws, so that said section as amended shall read as follows: **4. Delegates Chosen.** The planning and development commission, established under section 40 of chapter 27 of the Revised Laws as amended, the New Hampshire water pollution commission as established by chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947, the forestry and recreation commission, as established by section 1, chapter 233 of the Revised Laws, the department of agriculture, as established by section 1, chapter 223 of the Revised Laws, the fish and game commission, as established by section 1, chapter 240 of the Revised Laws, and the New Hampshire water resources board, as established by section 3, chapter 266 of the Revised Laws, shall each choose from among its members a delegate to sit upon the council heretofore established. Such designation shall continue in full force and effect until the expiration of the term of office of any such delegate as a member of the commission or board from which he is chosen and until a new delegate is selected as his successor on the council.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 28, 1951.]

## CHAPTER 48.

### AN ACT RELATING TO POWERS OF DIRECTOR AND CONSERVATION OFFICERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Powers of Conservation Officers.** Amend paragraph IX, section 25, chapter 240 of the Revised Laws by inserting after the word "paraphernalia" in the first line the words, hunting or fishing licenses, so that said paragraph as amended shall read as follows: IX. To seize all fishing tackle, guns, shooting and hunting paraphernalia, hunting or fishing licenses, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 28, 1951.]

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## CHAPTER 49.

### AN ACT INCREASING FEES FOR NONRESIDENT TRAPPING LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Nonresident Trapping Licenses.** Amend paragraph V of section 6, chapter 247, Revised Laws, by striking out the word "fifty" in the second line and inserting in place thereof the words, two hundred, so that said paragraph as amended shall read as follows: V. If the applicant is a nonresident and wishes to take fur-bearing animals by the use of traps, two hundred dollars, and the agent shall thereupon issue a nonresident trapping license, which shall entitle the licensee to take fur-bearing animals by the use of traps and sell and transport them, under the restrictions of this title.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 28, 1951.]

## CHAPTER 50.

AN ACT RELATING TO THE APPOINTMENT OF MEDICAL REFEREES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Medical Referees.** Amend section 3 of chapter 436 of the Revised Laws by inserting after the word "appointments" in the second line, the words, and each shall continue in office until his successor is appointed and qualified, so that said section as amended shall read as follows: **3. Term.** Medical referees shall hold their office five years from the time of their appointments and each shall continue in office until his successor is appointed and qualified, but may be removed from office by the governor and council at any time for cause.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 28, 1951.]

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CHAPTER 51.

AN ACT RELATIVE TO THE PRACTICE OF DENTISTRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Dentistry Board.** Amend section 5 of chapter 251 of the Revised Laws by striking out the word "five" in the first and fourth lines of said section and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **5. Compensation.** The members of the board shall receive ten dollars for each day actually engaged in the duties of the office and all necessary expenses. The secretary-treasurer of the board may receive a salary to be fixed by the board instead of the per diem of ten dollars. Said board shall receive no compensation in excess of the amount of the fees and fines received, and shall be of no expense to the state beyond such amount.

**2. Fees.** Amend section 12 of chapter 251 of the Revised Laws by striking out the word "one" in the third line and inserting in place thereof the word, two, so that said section as

amended shall read as follows: **12. Registration.** Every person licensed to practice dentistry or dental hygiene in this state shall annually before April first notify the board of his office address, and pay a registration fee of two dollars. He shall also notify the board promptly of any change of address.

**3. Examinations.** Amend section 16 of chapter 251 of the Revised Laws, by striking out the word "twenty-five" in the second line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **16. Fees.** The fee for each person applying for examination for a license is fifty dollars, and for every duplicate license issued by said board, except as provided in section 13, five dollars. Any person failing to pass a satisfactory examination at the first trial shall be entitled to be once reexamined at a future meeting of the board without additional payment.

**4. Dental Students.** Amend section 17 of chapter 251 of the Revised Laws, as amended by section 1, chapter 142 of the Laws of 1949 by inserting after the word "of" in the fortieth line the words, a registered dentist at a state hospital or, and by inserting at the end thereof the words, or prevent students from serving as interns in any hospital approved by said board, so that said section as amended shall read as follows: **17. Practice.** A person shall be regarded as practicing dentistry within the meaning of this chapter who uses or permits to be used, directly or indirectly, for profit or otherwise, for himself or for any other person, in connection with his name, the word "dentist," or "dental surgeon," or the title "D.D.S." or "D.M.D." or any other words, letters, titles, or descriptive matter, personal or not, which directly or indirectly implies the practice of dentistry; or who owns, leases, maintains, or operates a dental business in any office or other room or rooms where dental operations are performed, or directly or indirectly is manager, proprietor, or conductor of the same; or who directly or indirectly informs the public in any language, orally, in writing, or in printing, or by drawings, demonstrations, specimens, signs, or pictures that he can perform or will attempt to perform dental operations of any kind; or who undertakes, by any means or method, gratuitously or for a salary, fee, money, or other reward paid or granted directly or indirectly to himself or to any other person, to diagnose or profess to diagnose, or to treat or profess to treat, or to prescribe for or profess to prescribe for any of the lesions, dis-



eases, disorders, or deficiencies of the human oral cavity, teeth, gums, maxilla, or mandible or adjacent associated structures; or who extracts human teeth, corrects malpositions thereof or of the jaws; or who, except on the written prescription of a duly licensed dentist and by the use of impressions or casts made by a duly licensed and practicing dentist, shall directly or indirectly by mail, carrier, personal agent, or by any other method, furnish, supply, construct, reproduce, or repair prosthetic dentures, bridges, appliances, or other structures to be used and worn as substitutes for natural teeth, or adjust the same; or who administers dental anesthetics, either general or local; or who engages in any of the practices included in the curricula of recognized dental colleges; provided that nothing herein shall prevent regularly licensed physicians or surgeons from treating or prescribing for lesions, diseases, disorders, or deficiencies of the human oral cavity, teeth, gums, maxilla, or mandible or adjacent associated structures, or from extracting human teeth or administering anesthetics, or using or prescribing drugs or other remedies; nor shall it prevent students from performing dental operations under the supervision of a registered dentist at a state hospital or competent instructors within a dental school, college, or dental department of a university recognized by said board, or prevent students from serving as interns in any hospital approved by said board.

5. **Dental-Hygienists.** Amend section 18 of chapter 251 of the Revised Laws, as amended by section 2, chapter 142 of the Laws of 1949, by striking out the word "ten" in the ninth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: 18. **Eligibility; Examination; Registration.** Any person of good moral character and eighteen years of age or over, who is a graduate of a training school for dental-hygienists requiring a course of not less than one academic year and approved by said board, or who is a graduate of a training school for nurses and has received three months' clinical training in dental hygiene in any such training school for dental-hygienists, may, upon the payment of fifteen dollars, be examined by said board in the subjects considered essential by it for a dental-hygienist, and, if his examination is satisfactory, shall be registered as a dental-hygienist and given a certificate allowing him to clean teeth and apply topically, fluorine, or any of its compounds,

and any other chemical compound or combination of, or series of chemical compounds, which may be found to be effective and approved by the New Hampshire state dental board, in preventing caries in human teeth, under the direction of a registered dentist of this state, and in public or private schools or institutions, upon approval by the local board of health.

**6. Interstate Provisions.** Amend section 22 of chapter 251 of the Revised Laws, by striking out the word "twenty-five" and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **22. Fees.** The fee for issuing a license under section 20 shall be fifty dollars, and for issuing a certificate under section 21, five dollars. In each case the fee shall be paid in advance.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved March 29, 1951.]

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## CHAPTER 52.

### AN ACT RELATING TO CONTROL OF VICIOUS DOGS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Dogs.** Amend chapter 180 of the Revised Laws by inserting after section 34 the following new section: **34-a. Vicious Dogs.** Any person who considers a dog to be vicious or a menace to persons or property without the enclosure of its owner or keeper may make complaint to the chief of police of the city or to the selectmen of the town in which such dog is kept, and such officers shall, within three days after the receipt of such complaint, investigate the case, and, if the complaint is sustained, shall forthwith order the owner or keeper of such dog to muzzle or restrain such dog from running at large as the case may require. Service of such order shall be made upon the owner or keeper of such dog by causing a certified copy of such order to be delivered to him; and if he refuses or neglects for twelve hours thereafter to comply therewith he shall be fined not more than twenty-five dollars, and the chief of police or selectmen may issue their warrant to one or more of the police officers or constables of such city

or town who shall kill such dog whether on or off the premises of the owner or keeper and make return thereof of his doings.

**2. Officers' Fees.** Amend section 35 of said chapter 180 by striking out the word "section" and the number "33" in the second line and inserting in place thereof the words and numbers, sections 33 and 34-a, so that said section as amended shall read as follows: **35. Officers' Fees.** Police officers or constables shall be compensated for service under sections 33 and 34-a as provided in section 19.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 30, 1951.]

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## CHAPTER 53.

### AN ACT RELATIVE TO PURCHASE OF STATE INSURANCE AND PUBLIC STATE OFFICIAL AND EMPLOYEE BONDS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Purchases.** Amend paragraph (e) of section 5 of chapter 14-A of the Revised Laws as inserted by chapter 21 of the Laws of 1943 and as amended by section 1 of chapter 227 of the Laws of 1949 by striking out said paragraph and inserting in place thereof the following: (e) require competitive bidding before making any purchase for the state pursuant to the provisions of this chapter, except (1) when the purchase involves a total expenditure of less than two hundred dollars, and when the best interests of the state would be served thereby, (2) when, after reasonable investigation by the purchasing agent, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the state from only one source, (3) when, after reasonable investigation by the purchasing agent, it appears that any required service, unit or item of supply, or brand of such unit or item, has a fixed market price at all sources available to the state, (4) when, in the opinion of the governor and council, an emergency exists of a nature which requires the immediate procurement of supplies; provided, however, that whenever the governor shall determine that an emergency exists and where

he also deems it inexpedient to convene the council, he alone may authorize the purchasing agent to make a purchase without competitive bidding; and provided further, that where the rates filed with and approved by the insurance commissioner are uniform, the purchase of state insurance and public state official and employee bonds are specifically excluded from competitive bidding as to price. Provided, however, that nothing herein contained shall preclude the director of purchase and property from inviting plans of insurance coverage from any resident licensed insurance agent.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 30, 1951.]

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## CHAPTER 54.

### AN ACT RELATIVE TO COMPUTATION OF AVERAGE WEEKLY WAGES UNDER WORKMEN'S COMPENSATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Workmen's Compensation.** Amend paragraph V of section 2 of chapter 216 of the Revised Laws, as inserted by chapter 266 of the Laws of 1947, by adding at the end thereof the following: (3) The average weekly wage for employees engaged in occupations with an indeterminate work week shall be computed by taking the total earnings of the injured employee in the service of the same employer during the preceding fifty-two weeks, and dividing by the actual number of weeks worked during that period; if the injured employee shall have been in the employment of the same employer for less than one year, then his total earnings for such less period divided by the actual number of weeks worked. (4) The average weekly wage for volunteer firemen who are paid on a yearly basis shall be computed by dividing the total yearly remuneration on which the insurance premium is based by fifty-two, so that said paragraph as amended shall read as follows: V. (1) Average weekly wages, except as provided in subsection (2) shall be computed by taking the total straight time earn-

ings of the injured employee in the service of the same employer during the preceding fifty-two weeks, divided by the actual number of hours worked, and multiplied by forty; if the injured employee shall have been in the employment of the same employer for less than one year, then his total straight time earnings for such less period divided by the actual number of hours worked, and multiplied by forty. Where by reason of the shortness of the time during which the employee has been in the employment of his employer or the nature or term of the employment, it is inequitable to compute the average weekly wages as above defined, regard may be had to the average weekly amount as above defined which, during the year previous to the injury, was being earned by a person, in the same grade, employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade, employed in the same class of employment in the same locality. (2) Average weekly wages, of an injured employee whose normal schedule of hours in the service of the same employer during the preceding fifty-two weeks has not exceeded twenty-four hours a week, shall be computed by dividing the total actual earnings in the service of the same employer by the actual number of weeks; if the injured employee shall have been in the employment of the same employer for less than one year, then his total actual earnings for such less period divided by the number of weeks employed by said employer. Where the injured employee has been in the employ of his employer less than one week, his average weekly wages shall be computed by taking into consideration the rate of pay designated in his agreement of employment and by prorating his earnings to the sum he would have earned for a full week's work based on the current number of hours or days for that job at the time the accident occurred. (3) The average weekly wage for employees engaged in occupations with an indeterminate work week shall be computed by taking the total earnings of the injured employee in the service of the same employer during the preceding fifty-two weeks, and dividing by the actual number of weeks worked during that period; if the injured employee shall have been in the employment of the same employer for less than one year, then his total earnings for such less period divided by the actual number of weeks worked. (4) The average weekly wage for volunteer firemen who are paid on a yearly basis shall be com-

puted by dividing the total yearly remuneration on which the insurance premium is based by fifty-two.

**2. Takes Effect.** This act shall become effective July 1, 1951.

[Approved March 30, 1951.]

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## CHAPTER 55.

### AN ACT RELATIVE TO COMPENSATION OF DEATH UNDER WORKMEN'S COMPENSATION IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Workmen's Compensation.** Amend section 20 of chapter 216 of the Revised Laws, as inserted by chapter 266 of the Laws of 1947 and as amended by section 2, chapter 152, Laws of 1949 and section 1, chapter 202, Laws of 1949, by adding at the end thereof a new paragraph as follows: V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings, shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved March 30, 1951.]

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## CHAPTER 56.

### AN ACT RELATIVE TO THE PRACTICE OF CHIROPRACTIC.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Chiropractic.** Amend chapter 252 of the Revised Laws by inserting after section 8 the following new section:  
**8-a. Further Requirements.** Notwithstanding educational

requirements of the provisions of section 8, any applicant for license to practice chiropractic who matriculated in a chiropractic school or college after January 1, 1951, shall be a graduate of a legally chartered or incorporated school of chiropractic requiring for graduation completion of a course of study of not less than thirty-six hundred classroom hours in four academic years.

**2. Change in Fees.** Amend section 13 of chapter 252 of the Revised Laws by striking out the word "fifteen" in the fourth line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **13. Applicants from Other States.** The board may register and license any applicant who is legally qualified to practice chiropractic in any other state, the requirements of which state as to registration and license are equivalent to those in this state. Such applicant shall pay a fee of fifty dollars.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 30, 1951.]

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## CHAPTER 57.

AN ACT RELATING TO THE APPROACHES TO THE GENERAL JOHN SULLIVAN AND ALEXANDER SCAMMELL BRIDGES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Park Improvements.** The appropriation provided for by chapter 173 of the Laws of 1945 as amended by chapter 226, Laws of 1947, for the improvement of the park and recreational areas adjacent to the General John Sullivan Memorial and the Alexander Scammell bridges shall not lapse but shall be available for the purposes of said act until July 1, 1955.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 30, 1951.]

## CHAPTER 58.

## AN ACT RELATIVE TO PURCHASE AND SALE OF POULTRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Purchase and Sale of Poultry.** Amend section 1 of chapter 199 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. License Required.** No person shall engage in the business of buying or selling live poultry in this state the meat or product of which is to be sold or used for food unless he has a license from the commissioner of agriculture. Licenses shall be issued in two forms: (1) An unlimited license to each person who shall furnish a bond with sufficient surety in an amount to be determined by the commissioner, but not to exceed ten thousand dollars, payable to the state of New Hampshire and conditioned for the faithful performance of all legal obligations incurred in the buying and selling of live poultry the meat or product of which is to be sold or used for food; such bond shall be held by the commissioner to satisfy any court judgment obtained or execution issued against any licensee because of failure to perform such legal obligations; and (2) a limited license which shall permit the licensee to do business on a United States currency basis only. Applications for licenses herein provided shall be made in such manner and upon such forms as the commissioner of agriculture shall prescribe.

**2. Repeal.** Section 9-a of chapter 199 of the Revised Laws as inserted by section 4 of chapter 87 of the Laws of 1949 relative to licenses is hereby repealed.

**3. Powers of Commissioner.** Amend section 10 of chapter 199 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Suspension and Revocation of Licenses.** Whenever the commissioner of agriculture has reasonable grounds to believe that a licensee has violated any of the provisions hereof or any rule or regulation promulgated hereunder, he may suspend the license of such licensee forthwith for a period not to exceed thirty days. Upon such suspension the commissioner of agriculture shall notify the licensee thereof and the grounds therefor, and shall set a time and place for hearing. If upon hearing it shall appear



that such provisions, rule or regulation have been violated, said license shall be revoked; otherwise it shall be reinstated.

**4. Takes Effect.** This act shall take effect as of April 1, 1951.

[Approved April 4, 1951.]

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## CHAPTER 59.

### AN ACT RELATIVE TO CONSTRUCTION, EQUIPMENT AND FURNISHING OF A NEW STATE OFFICE BUILDING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Additional Appropriation.** Amend section 2 of chapter 322 of the Laws of 1949, as inserted by section 7 of chapter 10 of Laws of Special Session of 1950, by striking out said section and inserting in place thereof the following: **2. Bond Issue Authorized.** The sum of eight hundred and fifty thousand dollars is hereby appropriated for the purpose of the construction, equipment and furnishing of a new state office building. Two hundred and seventy-five thousand dollars of this amount is to be used towards constructing additional facilities consisting of approximately twenty thousand additional square feet of area in the proposed new state office building to accommodate the division of employment security of the department of labor. The additional bonds or short term notes in the amount of two hundred and seventy-five thousand dollars to be issued under the provisions of this section and section 7, or the value thereof, shall be repaid and amortized as to principal and interest by federal funds in the form of rent as provided in section 8-a.

**2. Bonds and Notes Authorized.** Amend section 7 of said chapter 322 by striking out the words "five hundred seventy-five thousand" in the eighth line and inserting in place thereof the words, eight hundred and fifty thousand, so that said section as amended shall read as follows: **7. Bonds and Notes Authorized.** To provide funds for the appropriation made by section 1 hereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one

million two hundred ninety-nine thousand five hundred ninety-eight dollars and to provide funds for the appropriation made in section 2 hereof not exceeding the sum of eight hundred and fifty thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

**3. Short Term Notes.** Amend section 11 of said chapter 322 by striking out the words and figures "five hundred seventy-five thousand dollars (\$575,000)" in the tenth line and inserting in place thereof the words and figures, eight hundred and fifty thousand dollars (\$850,000), so that said section as amended shall read as follows: **11. Short Term Notes.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one million two hundred ninety-nine thousand five hundred ninety-eight dollars (\$1,299,598) for the purposes of section 1, and the sum of eight hundred and fifty thousand dollars (\$850,000) for the purposes of section 2.

**4. Payments by Division of Employment Security.** Amend section 8-a of said chapter 322, as inserted by section 10 of chapter 10 of the Laws of Special Session of 1950, by inserting at the end of the first sentence the following: There shall also be paid monthly into said fund by the division of employment security of the department of labor as rent during its occupancy of the office building constructed under the provisions of this chapter an amount sufficient to amortize two hundred seventy-five thousand dollars (\$275,000) of the bonds or notes with interest thereon issued under the provisions of this chapter or the value of said bonds or notes with interest thereon, so that said section as amended shall read as follows: **8-a. Sinking Fund.** The state treasurer shall, during the life

of any notes or bonds issued to provide funds for the appropriation made in section 2, establish and keep a separate account to be known as the State Office Building Sinking Fund Account into which shall be paid such amounts as the governor and council may determine to be proper and reasonable charges against departmental appropriations for space occupied in said building. There shall also be paid monthly into said fund by the division of employment security of the department of labor as rent during its occupancy of the office building constructed under the provisions of this chapter an amount sufficient to amortize two hundred seventy-five thousand dollars (\$275,000) of the bonds or notes with interest thereon issued under the provisions of this chapter or the value of said bonds or notes with interest thereon. There shall also be paid into said fund any premium received in connection with the sale of said bonds. In each fiscal year after the issuance of bonds or notes for said section 2, the amount so paid into said fund shall be not less than one-twentieth of the principal amount of bonds issued hereunder, plus interest requirements. The funds in said account shall be applied to the payment of the interest and principal of the said bonds and notes issued for the construction of said new state office building, and costs incident to said bond or note issue.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved April 4, 1951.]

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## CHAPTER 60.

AN ACT TO PROVIDE FOR THE DISCONTINUANCE OF THE PREVIOUS  
NEW HAMPSHIRE TEACHERS' RETIREMENT SYSTEM AND FOR  
THE PRESERVATION OF THE RIGHTS AND PRIVILEGES OF  
THE PRESENT MEMBERSHIP THEREOF.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Transfer of Funds and Membership.** Amend paragraph VII of section 13 of chapter 136-B, Revised Laws, as inserted by chapter 6, Laws of 1950, by striking out said paragraph and inserting in place thereof the following: VII. If

at any time subsequent to May 30, 1951, a majority of the membership of the existing retirement system as constituted on June 30, 1950 have become members of this system and there remain less than 75 teachers in active service who are members of the existing retirement system, any cash and securities remaining to the credit of the existing system shall be transferred to the state annuity accumulation fund of this system as of a date, within ninety days thereafter, to be set by the board of trustees of this system. The contributions payable by such members and local school districts shall be continued and paid into the state annuity accumulation fund of this system and the benefits payable or which become payable shall be paid from said fund, all in accordance with chapter 136, Revised Laws. The contributions of the state shall be adjusted to include any liabilities added to this system over and above the amount of assets so transferred. Upon the date of transfer of such assets, the existing system, except in the manner herein provided, shall be discontinued.

**2. Takes Effect.** This act shall take effect on May 30, 1951. [Approved April 5, 1951.]

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## CHAPTER 61.

### AN ACT RELATIVE TO PURCHASING PROCEDURES INVOLVING BOOKS AND PERIODICALS AT STATE TEACHERS COLLEGES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Purchasing Agent.** Amend section 8 of chapter 14-A of the Revised Laws as inserted by chapter 21, Laws of 1943, and as amended by chapter 227 of the Laws of 1949, by adding thereto the following:

VI. Teachers Colleges. Plymouth and Keene teachers colleges are excepted in the matter of the purchase of books and periodicals only. In respect to all other purchases they shall be subject to the provisions of this chapter.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 5, 1951.]

## CHAPTER 62.

AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE  
WATERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947, and amended by chapter 1, Laws of Special Session, 1950, as follows:

I. Nubanusit Brook, in the town of Harrisville, from the point at which the brook flows under the main building of Cheshire Mills to the downstream side of the highway bridge located on the Hancock Road, Class D.

II. Nubanusit Brook in the town of Harrisville, from the downstream side of the highway bridge located on the Hancock Road to the head of Lake Skatutakee, Class C.

III. Nubanusit Brook and its tributaries located in the towns of Nelson, Antrim, Hancock, Harrisville, Dublin, Jaffrey and Peterborough, except those portions of Nubanusit Brook given in paragraphs I and II, from their sources to the downstream side of the highway bridge located on the Harrisville Road in the village of West Peterborough, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved April 5, 1951.]

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CHAPTER 63.AN ACT RELATIVE TO ADDITIONAL BENEFITS UNDER THE POLICE-  
MEN'S RETIREMENT SYSTEM.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Special Deposits.** Amend chapter 221 of the Revised Laws by adding after Section 7 the following new section: **7-a. Additional Retirement Allowance.** In addition to the assessment made on that part of any policeman's annual salary not in excess of two thousand four hundred dollars as hereinbefore

provided, and subject to the approval of the board and to such rules and regulations as the board may prescribe with respect thereto, any permanent policeman may provide for himself an additional retirement allowance by making special deposits in his individual account. Such special deposits together with interest credited thereon as determined by the board shall be paid to him upon resignation or dismissal from service, or to his estate or his designated beneficiary upon his death before retirement. Upon his retirement for any cause, his accumulated special deposits shall be returnable to him in cash, or, at his election, part or all of such accumulated special deposits may be taken as a monthly annuity of equivalent actuarial value; provided such annuity together with his regular monthly retirement allowance shall not exceed a sum equal to one-half his average monthly salary during the twelve-month period preceding his retirement.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 9, 1951.]

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## CHAPTER 64.

### AN ACT NAMING THE WILLIAM E. CHANDLER HIGHWAY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Name Given.** The highway which runs from the Franklin Pierce highway in Hopkinton to its junction with the John Stark highway in the town of Bradford, being a part of route 103, so called, and formerly known as Central road, shall hereafter be called and known as the William E. Chandler highway.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1951.]

## CHAPTER 65.

### AN ACT RELATIVE TO ANNUAL REPORTS OF CERTAIN COUNTY OFFICERS, JUSTICES OF THE PROBATE COURTS, JUSTICES AND CLERKS OF MUNICIPAL COURTS AND CLERKS OF SUPERIOR COURTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Annual Reports Required.** Amend chapter 50 of the Revised Laws by inserting after section 4 the following new section: **5. To Be Filed.** Every justice of a probate court, sheriff, deputy sheriff, register of deeds, register of probate, justice and clerk of a municipal court, and clerk of a superior court on or before April first of each year shall file with the secretary of state a statement of his income as such officer for the preceding year. Such statement shall be under oath, shall show the income and operating expenses from each type of work, such as salary, court attendance, criminal investigation, service of civil process, recording fees, etc., and whether the same is for services, mileage or expenses. Said statements when filed with the secretary of state shall be open to the inspection of any interested parties.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1951.]

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## CHAPTER 66.

### AN ACT RELATIVE TO FURNISHING FINANCIAL RESPONSIBILITY, AND REPORTS REQUIRED AFTER MOTOR VEHICLE ACCIDENTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Financial Responsibility.** Amend section 5 of chapter 122 of the Revised Laws as amended by section 1, chapter 85, Laws of 1943, by striking out said section and inserting in place thereof the following: **5. Procedure after Report of Accident.** I. Within sixty days after receipt of the report required by section 19 of chapter 118, the commissioner shall suspend the license and registration certificate and registra-

tion plates, if any, of the operator and the registration certificates and plates of the owner of the vehicle, trailer, or semi-trailer involved in the accident reported and his license, if any, until such operator or owner or both shall have furnished sufficient security to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator by or on behalf of the aggrieved person or his legal representative, and until such owner or operator or both shall give and thereafter maintain proof of financial responsibility in the future. Notice of such suspension shall be sent by the commissioner to such operator and owner not less than ten days prior to the effective date of such suspension.

II. This section shall not apply: (1) to such owner or operator if such owner had in effect at the time of such accident with respect to such motor vehicle a motor vehicle liability policy or motor vehicle liability bond, as herein defined; (2) to such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident such a policy or bond with respect to his operation of motor vehicles not owned by him; (3) to such owner or operator if the liability of such owner or operator for the damages resulting from such accident is, in the judgment of the commissioner covered by any other form of insurance policy or bond, or proof of financial responsibility in accordance with sections 19 and 20 of this chapter.

III. Where erroneous information with respect to insurance coverage of the owner or operator of any such vehicle is furnished to the commissioner, he shall take appropriate action as above provided after the receipt by him of correct information with respect to such coverage.

IV. Within fifteen days after the receipt of notice of such accident, the insurance carrier or surety company which issued such policy or bond shall notify such commissioner in such manner as he may require in case such policy or bond was not in effect at the time of such accident. If no such notification is received within such fifteen days, such commissioner may assume that such a policy or bond was in effect at the time of the accident.

V. In case any such operator or owner has no license to operate a motor vehicle or no motor vehicle registered in his name in this state, he shall not be allowed a license or registra-



tion until he has complied with this chapter to the same extent as would be necessary if he had held an operator's or commercial operator's license and a motor vehicle registration at the time of the accident.

VI. No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond may be accepted from an insurance company or surety company not authorized to do business in this state if it shall be approved by the insurance commissioner of this state and shall execute a power of attorney authorizing the commissioner of motor vehicles to accept service on its behalf of notice or process in any action involving such policy or bond arising out of such accident; provided, however, every such policy or bond shall provide the same degree of security as required by this chapter.

2. **Repeal.** Section 5-a of chapter 122 of the Revised Laws as inserted by chapter 167, Laws of 1943, is hereby repealed.

3. **Motor Vehicle Accidents.** Amend section 19 of chapter 118 of the Revised Laws as amended by chapters 34 and 249 of the Laws of 1949, by striking out the said section and inserting in place thereof the following: **19. Conduct after Accident.** Any person operating a motor vehicle, knowing that injury has been caused by him to a person or to property, shall forthwith bring his vehicle to a stop, return to the scene of the accident, give to the operator of any other motor vehicle involved in said accident, and to the person, or the owner of the property, injured, his name and address, the number of the driver's license, the registration number of the motor vehicle and the name and address of each occupant thereof. If the owner of the property damaged is not available at the place of the accident, the information required hereunder shall be given to a policeman at the nearest police station. Any person operating a motor vehicle which is in any manner involved in an accident in which any person is injured or killed, or resulting in damage to property in excess of fifty dollars, shall within forty-eight hours after such accident report in writing to the commissioner the facts required herewith together with a statement of the circumstances of the accident; provided,

however, that voluntary intoxication shall not constitute a defense in the matter of knowledge under the provisions of this section. Such report, the form of which shall be prescribed by the commissioner, shall contain information to enable the commissioner to determine whether the requirements for the deposit of security under section 5 of chapter 122 as amended are inapplicable by reason of the existence of insurance or other exceptions specified in that chapter. If such operator be physically or mentally incapable of making such report, the owner of the motor vehicle involved in such accident or his representative shall, after learning of the accident, forthwith make such report. The operator or the owner shall furnish such additional relevant information as the commissioner shall require.

**4. False Information.** Amend section 20 of chapter 118 of the Revised Laws by inserting after the word "whoever" in the third line the words, gives information required knowing or having reason to believe that such information is false, or, so that the section as amended shall read as follows: **20. Penalty.** Whoever fails to comply with the foregoing requirements relating to injury to property, or relating to the report to be made to the commissioner, shall be fined not more than twenty-five dollars; and whoever gives information required knowing or having reason to believe that such information is false, or fails to comply with any of the other requirements thereof shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

**5. Change in Time.** Amend section 20 of chapter 122 of the Revised Laws, as amended by chapter 230, Laws of 1947, by striking out the word "five" where it occurs in the twenty-fourth and thirty-third lines and inserting in place thereof the word, ten; further amend said section by inserting after the word "notice" in the thirty-sixth line the words, of cancellation, so that said section as amended shall read as follows: **20. Methods of Giving Proof.** Proof of financial responsibility when required under this chapter may be given by either of the following methods:

I. By filing with the commissioner a certificate, as defined in section 1, of an insurance company or of a surety company to satisfy any judgment or judgments for damages resulting from an accident reported to the commissioner under the provisions of section 19 of chapter 118. Financial

responsibility in the future may be given by filing with the commissioner a continuous certificate which shall be a certificate as defined in section 1, of an insurance company or of a surety company, to provide the amount of proof of financial responsibility required under the provisions of section 19 of this chapter. Every continuous certificate shall remain in effect until ten days after written notice is received by the commissioner that said continuous certificate shall be cancelled. Whenever another motor vehicle, trailer, or semi-trailer replaces a motor vehicle, trailer, or semi-trailer, described in a continuous certificate such continuous certificate covering such described motor vehicle, trailer or semi-trailer shall apply automatically to such other motor vehicle, trailer or semi-trailer registered by the insured as of the date of its registration to the insured and for the period, if any, not exceeding ten days prior to such registration when said motor vehicle, trailer, or semi-trailer is operated on temporary plates and for a period of fifteen days after the date of registration, unless said ten-day period after written notice of cancellation is received by the commissioner has theretofore expired. Such continuous certificate shall likewise apply automatically to any additional motor vehicle, trailer, or semi-trailer acquired by the insured as of the date of its registration to the insured and for the period, if any, not exceeding ten days prior to such registration when such motor vehicle, trailer or semi-trailer is operated on temporary plates and for a period of fifteen days after the date of registration, unless said ten-day period after written notice of cancellation is received by the commissioner has theretofore expired; provided however, that the insurance company or surety company insures all automobiles, trailers, and semi-trailers owned by the named insured at such date of registration, and that such continuous certificate shall apply to such additional motor vehicle, trailer or semi-trailer only to the extent the insurance is applicable to all such previously owned motor vehicles, trailers, and semi-trailers.

II. By the deposit of money or securities as provided in the following section; or

III. By satisfying the commissioner that any corporation has financial ability to comply with the requirements of this chapter.

**6. Takes Effect.** This act shall take effect May 1, 1951. Any person who became subject to the laws of this state as

they existed prior to the effective date of this act, having to do with financial responsibility for the ownership or operation of motor vehicles, shall continue to be subject to such laws, except that if it shall appear to the satisfaction of the commissioner of motor vehicles either from his own records or from extraneous information which shall be supplied to him in such form as he may require, that a person, who had become subject to the operation of such laws solely as a result of involvement in an accident, had in effect at the time of such accident a policy of insurance or other prescribed form of proof of financial responsibility for such accident, then and in that event such person may be relieved from the liability of furnishing past and future proof of responsibility for such accident.

[Approved April 11, 1951.]

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## CHAPTER 67.

### AN ACT RELATIVE TO ALLOWANCES FOR PERSONAL SERVICES IN THE SETTLEMENT OF ESTATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Administration of Estates.** Amend section 37 of chapter 87 of the Revised Laws, as amended by section 17, chapter 144, Laws of 1945, and by section 2, chapter 86-A of the Revised Laws as inserted by section 49, part 8, chapter 5, Laws of 1950, by striking out said section and inserting in place thereof the following: **37. Executor's Services.** In the computation of said taxes the state tax commission may deduct not exceeding five per cent from the value of the personal property, and of the real estate sold to pay debts, as an allowance on account of the personal services of the executor or administrator, but otherwise shall not be required to consider any payments on account of debts or expenses of administration which have not been allowed by the probate court having jurisdiction of said estate. Provided, that nothing hereunder shall be construed as limiting or determining the

amount which may be allowed by the probate court in its discretion as an allowance for personal services of the executor or administrator.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 13, 1951.]

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## CHAPTER 68.

### AN ACT RELATIVE TO COLLECTION OF FINES FROM EMPLOYERS UNDER WORKMEN'S COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Workmen's Compensation.** Amend section 9 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by adding at the end thereof the following: All fines collected under the provisions of this section shall be credited to the second injury fund created by section 45 of this chapter, so that said section as amended shall read as follows: **9. Liability of Employer Failing to Comply.** Employers subject to this chapter who fail to comply with the provisions of section 8 shall be liable to a fine of one hundred dollars for each day of such non-compliance. An employee of such employer, or his dependents in case death ensued, may file his application with the commissioner of labor for compensation in accordance with the terms of this chapter, and the commissioner shall hear and determine such application for compensation in like manner as in other claims before him; and the compensation so determined shall be paid by such employer to the person entitled thereto within ten days after receiving notice of the amount thereof as fixed and determined by the commissioner. An abstract of the award may be filed in the office of the clerk of the superior court in any county in the state and shall be docketed in the judgment docket thereof, and when so filed and docketed shall be a lien upon the property of the employer situated in the county for a period of eight years from the date of the award; execution may be issued thereon within eight years in the same manner

and with like effect as if said award were a judgment of the superior court. All fines collected under the provisions of this section shall be credited to the second injury fund created by section 45 of this chapter.

**2. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved April 13, 1951.]

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## CHAPTER 69.

AN ACT RELATIVE TO DEFINITION OF TERMS UNDER WORKMEN'S  
COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Dependents Defined.** Amend paragraph VII of section 2 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by inserting at the end thereof the words, dependents as defined herein shall include common law wife or husband of the deceased and posthumous child or children, so that said paragraph as amended shall read as follows: VII. Dependents, shall mean the employee's widow, widower, children, parents, persons in the direct line of ascent or descent, or next of kin, who were wholly or partially dependent in fact upon the earnings of the employee for support at the time of the injury. Dependents as defined herein shall include common law wife or husband of the deceased and posthumous child or children.

**2. Takes Effect.** This act shall become effective July 1, 1951.  
[Approved April 13, 1951.]

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## CHAPTER 70.

AN ACT RELATING TO THE METHOD IN WHICH TOWN FIRE BILLS  
SHALL BE PAID.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Towns Responsibility.** Amend section 25 of chapter 233 of the Revised Laws by striking out said section and in-

serting in place thereof the following: **25. Statement.** The warden shall render to the selectmen or the mayor or the proper city department, on blanks prepared by the state forester, a statement of said expenses incurred in said town or city, or in any other town or city which had requested aid therefrom, as soon as possible after they are incurred, showing in detail the amount and character of the services performed, the exact duration thereof, and all disbursements made by the warden or wardens, and bearing the approval of the warden, and of the deputy warden if said expenses were incurred by his authority.

**2. Reimbursement for Bills Paid.** Further amend said chapter 233 by adding after section 26, as amended by chapter 89, Laws of 1949, the following new section: **26-a. Payment of Bills to Another Town.** Bills incurred in rendering aid to another town after having been paid in the first instance as prescribed in section 26 shall be presented for reimbursement to the town receiving the aid.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 13, 1951.]

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## CHAPTER 71.

AN ACT PROVIDING FOR THE OPERATION OF PIPE LINES FOR THE TRANSPORTATION, DISTRIBUTION AND SALE OF NATURAL GAS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Eminent Domain Proceedings.** Amend the first paragraph of section 15 of chapter 294 of the Revised Laws by striking out the same and inserting in place thereof the following: Whenever any corporation organized under the laws of this state or of any other state or of the United States for the purpose of constructing and operating a natural gas pipe line, which corporation holds a certificate of public convenience and necessity issued under the provisions of the Federal Natural Gas Act, approved June 21, 1938, as it now reads or may hereafter be amended, authorizing such corporation to construct and operate a natural gas pipe line or pipe lines and

appurtenant facilities within this state, or any petroleum pipe line company doing exclusively an interstate business, from any cause shall be unable to acquire lands necessary to its purposes by purchase, lease or otherwise, it may institute proceedings for condemnation thereof in the manner provided in this section.

**2. Limitation.** Amend section 15 of chapter 294 of the Revised Laws by adding at the end thereof the following new paragraph: VI. No lands or rights of way or easements therein shall be taken by eminent domain under the provisions of this act in any public property, or within the location of any railroad or street railway company or other public utility company, provided that such pipe line or pipe lines may be constructed under or through any public highway or street, public park or reservation or other public property if the method of such construction, compensation if any, and the plans and specifications therefor have been approved by the authority having jurisdiction over the maintenance of such public highway or street, public park or reservation or other public property; and provided further that such pipe line or pipe lines may be constructed over or across the location of any railroad or street railway company or other public utility company by agreement with such railroad or street railway company or other public utility company or in the event of failure so to agree, then with the approval of the public service commission and in such manner as may be determined by said commission. Provided, however, that nothing herein shall be deemed to repeal any of the provisions of sections 16 to 24, inclusive, of chapter 294, relative to acquisition of rights in public waters and on public lands.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 13, 1951.]

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## CHAPTER 72.

### AN ACT TO REGULATE THE PRACTICE OF OPTOMETRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Optometry.** Amend section 1 of chapter 253 of the Revised Laws by striking out said section and inserting in



place thereof the following: **1. Definition.** The practice of optometry is hereby defined to be the employment of any method or means, other than the use of drugs or surgery, for the diagnosis of any optical defect, deficiency or deformity of the human eye, or visual or muscular anomaly of the visual system, or the adaptation or prescribing of lenses, prisms or ocular exercises for the correction, relief or aid of the visual functions.

**2. Examining Board.** Amend section 5 of chapter 253 of the Revised Laws by striking out said section and inserting in place thereof the following: **5. Compensation.** The compensation of the board, except the secretary, shall be five dollars each for every day actually spent in the discharge of their duties and their necessary expenses. The secretary of the board shall receive a salary to be fixed by the board. Amounts so paid to the board and secretary shall not exceed the amount received by the treasurer from the board in fees.

**3. Examination and Certificates.** Amend section 6 of chapter 253 of the Revised Laws by striking out said section and inserting in place thereof the following: **6. Certificates of Qualification and Fees.** No person, except as otherwise provided in this chapter, shall practice optometry until he shall have passed an examination conducted by the board in theoretic, practical and physiological optics, in theoretic and practical optometry and in anatomy, physiology and pathology of the eye, and shall have demonstrated his ability to properly use the ophthalmoscope, the retinoscope and other scientific instruments and methods used in the practice of optometry, and shall have been registered and shall have received a certificate of qualification in optometry. Every applicant for examination shall present satisfactory evidence in the form of affidavits properly sworn to, that he is a citizen of the United States, that he is over twenty-one years of age and of good moral character, that he has graduated from a high school having a course of study of four years and approved by the board or has had a preliminary education equivalent to at least four years in a public high school, and one year at a college or junior college of arts and sciences with satisfactory grades, and graduated from a school or college of optometry approved by the board, maintaining a minimum of three years in optometric training. The fee for the examination for registration shall be twenty-five dollars, and those passing the examination

shall receive the certificate of qualification without additional charge. Any person failing to pass a satisfactory examination shall be entitled to re-examination at any future meeting of the board within two years without further fee; after two years the charge will be five dollars for each subsequent examination.

**4. Change in Time for Payment.** Amend section 7 of chapter 253 of the Revised Laws by striking out the word "annually" and inserting in place thereof the word, monthly, so that said section as amended shall read as follows: **7. Disposal of Fees.** All fees received by the board shall be paid monthly by the secretary of the board to the state treasurer.

**5. Repeal.** Section 8 of chapter 253 of the Revised Laws, relative to qualifications for practice, is hereby repealed.

**6. Qualifications and Fee for Certificate Without Examination.** Amend section 10 of chapter 253 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Certificate without Examination.** Any person who shall present to the board a certified copy or certificate of registration or license which was issued to him after examination by a board of registration in optometry in any other state, where the requirements for registration are in the opinion of the board equivalent to those of this state, may be registered and given a certificate of qualification in this state without a written examination; provided, that such state accords a like privilege to holders of certificates of registration issued in this state and that the applicant has not previously failed to pass the examination in this state, and that he has been engaged in the practice of optometry continuously for not less than three years immediately preceding his application, and that he intends to reside and practice optometry in this state. The fee for such registration shall be fifty dollars.

**7. Change in Application and Fee.** Amend section 15 of chapter 253 of the Revised Laws, as amended by section 1, chapter 41 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **15. Applications; Fee.** Every registered optometrist shall, annually, before July first, sign, and forward this statement and application for renewal of his registration certificate to the secretary of the board, together with an annual license fee of five dol-

lars, in default of which the board may revoke or suspend his registration certificate and his authority to practice optometry thereunder, after a hearing as provided by section 24; but the payment of the said fee at or before the time of hearing, with such additional sum, not exceeding five dollars, as may be fixed by the board, shall remove the default.

**8. Repeal.** Section 19 of chapter 253 of the Revised Laws, relative to failure to register on time, is hereby repealed.

**9. Temporary Removal from State.** Amend section 21 of chapter 253 of the Revised Laws, as amended by section 2, chapter 41, Laws of 1947, by striking out said section and inserting in place thereof the following: **21. Re-registration.** An optometrist who has been heretofore duly licensed and registered to practice in this state, whose license has not been suspended or revoked, but who shall have temporarily retired from practice or removed from the state for not exceeding five years, and shall have notified the board of such retirement or removal, may re-register within this state upon paying the lapsed annual license fees and filing with the board his affidavit as to the facts aforesaid.

**10. Suspension of License.** Amend section 22 of chapter 253 of the Revised Laws as inserted by section 1 of chapter 111 of the Laws of 1949 by adding in the second line after the words "or may" the words, suspend or, so that said section as amended shall read as follows: **22. Causes.** The board, after hearing, may refuse to issue a license, or may suspend or revoke any license issued under this act, if the licensee has been found guilty of any fraud in obtaining his certificate or in the practice of optometry, has been convicted of crime, is an habitual drunkard, is incompetent to practice optometry, or has been guilty of unprofessional, dishonorable or immoral conduct; or if the licensee in advertising his business has included in any newspaper, radio, display sign or other advertisement any statement of a character tending to deceive or mislead the public; or in advertising has included any statement claiming professional superiority; or has advertised in any way the performance of professional services in a superior manner; or has advertised definite or fixed prices for services and materials when the nature of the professional service rendered and the materials required must be variable; or has advertised by means of signs or printed advertisements or show cases containing the representation of glasses, or photographs of any

person or has continued to practice without annual registration.

**11. Notice of Suspension.** Amend section 25 of chapter 253 of the Revised Laws by adding after the word "shall" in the first line the words, suspend or, so that said section as amended shall read as follows: **25. Notice of Suspension or Revocation.** In case said board shall suspend or revoke the certificate they shall transmit to the secretary of state a notice under the seal of said board certifying such fact, and the secretary of state shall, upon receipt of said notice, file the same and forthwith mark said certificate revoked.

**12. Regulations and Penalties.** Amend chapter 253 of the Revised Laws by inserting after section 28 the following new sections: **28-a. Unprofessional Conduct.** No corporation shall engage in the practice of optometry nor shall any person practice optometry under any lease, contract or other arrangement whereby any person, not duly authorized to practice optometry, shares directly or indirectly, in any fees received in connection with said practice of optometry. The provisions of this section shall not apply to any person, persons, partnership or corporation which, as of July 1, 1951, was conducting an optometric practice, nor shall the provisions of this section prevent any optometrist registered with the board after July 1, 1951, from practicing optometry with any person, persons, partnership, or corporation conducting an optometric practice as of July 1, 1951. **28-b. Prohibition.** It shall be unlawful for any person or persons whomsoever to represent himself or themselves as an optometrist or optometrists unless qualified under the provisions of this chapter.

**13. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved April 13, 1951.]

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## CHAPTER 73.

### AN ACT RELATING TO COUNTY APPROPRIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriations.** Amend chapter 44 of the Revised Laws as amended by chapter 142 of the Laws of 1947, by in-

serting after section 7 the following new sections: **7-a. Exceeding Appropriations.** No county commissioner shall pay, or agree to pay, or incur any liability for the payment of, any sum of money for which the county convention has made no appropriation, or in excess of any appropriation so made except for the payment of judgments rendered against the county. In the case of an emergency, however, county commissioners may apply to the executive committee, which, after a public hearing, may grant to the county commissioners authority in writing to make such emergency payment. Whenever it appears that the amount appropriated for a specific purpose will not be used in whole or part for such purpose, the county commissioners may use such sum to augment other appropriations, if necessary, provided the total payments for all purposes do not exceed the total sum of appropriations in any year made by the county convention.

**7-b. Penalty.** Any violation of the provisions of the previous section or of provisions of section 8, chapter 48 of the Revised Laws shall subject the person or persons so violating to section 7 of chapter 45, providing for removal from office. A petition of five resident taxpayers of the county may be made to the superior court for such removal or for removal for official misconduct.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 13, 1951.]

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## CHAPTER 74.

### AN ACT INCREASING DEATH BENEFITS UNDER WORKMEN'S COMPENSATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Increase in Benefits.** Amend section 20 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947, and as amended by section 2 of chapter 152, Laws of 1949, section 1 of chapter 202, Laws of 1949, and by section 1, chapter 55, Laws of 1951, by striking out the words

“seventy-five hundred dollars” in the ninth line and inserting in place thereof the words, nine thousand dollars, so that said section as amended shall read: **20. Compensation for Death.** If death results from the injury, the employer shall pay to, or for the dependent or dependents of the deceased employee, as defined in section 1, for a period not exceeding three hundred weeks, a weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee’s average weekly wages, but not less than fifteen nor more than thirty dollars per week; provided that the total amount payable on account of a single death shall not exceed the sum of nine thousand dollars.

I. In all cases where compensation is payable to a widow or widower for the benefit of herself or himself and dependent child or children, the commissioner of labor shall have power to determine in his discretion what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian.

II. In the case of remarriage of a widow without dependent children compensation payments shall cease.

III. In case of remarriage of a widow who has dependent children the unpaid balance of compensation which would otherwise become her due shall be payable to the mother, guardian, or such other person as the commissioner of labor may order, for the use and benefit of such children during dependency.

IV. If the deceased employee leaves no dependents, the employer shall pay the expenses of burial not exceeding three hundred dollars.

V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings, shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

**2. Compensation.** Amend section 22, of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by striking out the words “seventy-five hundred dollars” in the seventeenth and eighteenth lines and inserting in place thereof the words, nine thousand dollars, so that said section as amended shall read as follows: **22. Compensation for Per-**

**manent Total Disability.** In case of the following injuries, the disability caused thereby shall be deemed total and permanent.

- I. Total and permanent loss of sight in both eyes;
- II. The loss of both feet at or above the ankle;
- III. The loss of both hands at or above the wrist;
- IV. The loss of one hand and one foot;
- V. An injury to the spine resulting in permanent and complete paralysis of both legs or both arms, or of one leg and of one arm; and
- VI. An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive. Compensation for permanent total disabilities shall be computed as provided in section 21, except that the minimum shall be not less than fifteen dollars a week. The total amount payable on account of one accident shall not exceed nine thousand dollars.

**3. Change in Amount.** Amend section 28 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 and as amended by section 3 of chapter 202 of the Laws of 1949, by striking out the words "seventy-five hundred dollars" in the sixth line and inserting in place thereof the words, nine thousand dollars; so that said section as amended shall read as follows: **28. Maximum Benefits.** In no case, except as provided in sections 20, 22, 24 and 27, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed thirty dollars per week in amount, nor shall the total compensation exceed the sum of nine thousand dollars; nor shall any payments extend over a period of more than three hundred weeks from the date of the injury.

**4. Takes Effect.** This act shall become effective July 1, 1951.

[Approved April 13, 1951.]

## CHAPTER 75.

AN ACT RELATIVE TO COMPENSATION FOR PERMANENT PARTIAL  
DISABILITY UNDER WORKMEN'S COMPENSATION IN  
CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Permanent Partial Disability.** Amend section 24, of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by adding at the end thereof a new paragraph as follows: XXI. Compensation for loss of less than one phalange of a digit shall be not less than one-quarter of the compensation for the entire digit; so that said section as amended shall read as follows: **24. Compensation for Permanent Partial Disability.** In case of disability partial in character but permanent in quality, compensation computed as provided in section 21, except that the minimum shall be not less than fifteen dollars a week, shall be paid to the employee as follows:

I. Arm lost, one hundred seventy weeks' compensation, plus for actual healing period not in excess of thirty-two weeks' compensation;

II. Hand lost, one hundred forty weeks' compensation, plus for actual healing period not in excess of thirty-two weeks' compensation;

III. Thumb lost, forty weeks' compensation, plus for actual healing period not in excess of twenty-four weeks' compensation;

IV. Index finger lost, twenty-five weeks' compensation, plus for actual healing period not in excess of eighteen weeks' compensation;

V. Middle finger lost, twenty weeks' compensation, plus for actual healing period not in excess of twelve weeks' compensation;

VI. Ring finger lost, fifteen weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;

VII. Little finger lost, ten weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;



VIII. Leg lost, one hundred seventy weeks' compensation, plus for actual healing period not in excess of forty weeks' compensation;

IX. Foot lost, one hundred twenty weeks' compensation, plus for actual healing period not in excess of thirty-two weeks' compensation;

X. Great toe lost, twenty weeks' compensation, plus for actual healing period not in excess of twelve weeks' compensation;

XI. Toe other than great toe lost, eight weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;

XII. Eye lost, one hundred weeks' compensation, plus for actual healing period not in excess of twenty weeks' compensation;

XIII. Loss of hearing in one ear, forty-two weeks' compensation;

XIV. Loss of hearing in both ears, one hundred seventy weeks' compensation;

XV. Compensation for the loss of more than one phalange of a digit shall be the same as for the loss of an entire digit. Compensation for the loss of the first phalange shall be one-half of the compensation for the loss of the entire digit;

XVI. Compensation for an arm or leg if amputated at or above the elbow or at or above the knee, shall be the same as for the loss of the arm or leg, but if amputated between the elbow and the wrist, or the knee and the ankle shall be the same as for the loss of hand or foot;

XVII. Compensation for loss of eighty per cent or more of the vision of an eye shall be the same as for the loss of an eye;

XVIII. Compensation for loss of two or more digits or one or more phalanges of two or more digits of a hand or foot, may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for loss of hand or foot;

XIX. Compensation for permanent total loss of use of a member shall be the same as for the loss of the member;

XX. Compensation for permanent partial loss of use of a member shall bear such relation to the amounts stated in

the preceding paragraphs as the disabilities bear to those produced by the injuries named in said paragraphs;

XXI. Compensation for loss of less than one phalange of a digit shall be not less than one-quarter of the compensation for the entire digit.

**2. Takes Effect.** This act shall become effective July 1, 1951.

[Approved April 13, 1951.]

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## CHAPTER 76.

### AN ACT RELATING TO PHOTOGRAPHIC COPIES OF BUSINESS AND PUBLIC RECORDS AS EVIDENCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Photographic Copies as Evidence.** If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence or event, and in the regular course of business has caused any or all of the same to be recorded, copied or reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless held in a custodial or fiduciary capacity or unless its preservation is required by law. Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement or facsimile, does not preclude admission of the original.

**2. Construction.** This act shall be so interpreted and construed as to effectuate its general purpose of making uniform the law of those states which enact it.

3. **Title.** This act may be cited as the Uniform Photographic Copies of Business and Public Records as Evidence Act.

4. **Repeal.** Chapter 281 of the Laws of 1949 is hereby repealed.

5. **Takes Effect.** This act shall take effect upon its passage.  
[Approved April 20, 1951.]

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## CHAPTER 77.

### AN ACT RELATING TO DEFECTIVE NOTICES TO EMPLOYER UNDER WORKMEN'S COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Workmen's Compensation.** Amend section 15 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by adding at the end thereof the words, but claim shall be barred under this chapter unless said notice is given to the employer within one year from the date of the accident. For the purpose of giving notice of a disease, the date of disablement shall be deemed the date of accident, so that said section as amended shall read as follows: 15. **Defective Notice.** No want, defect or inaccuracy of a notice shall be a bar to the maintenance of proceedings unless the employer proves that he is prejudiced by such want, defect or inaccuracy; but claim shall be barred under this chapter unless said notice is given to the employer within one year from the date of the accident. For the purpose of giving notice of a disease, the date of disablement shall be deemed the date of accident.

2. **Takes Effect.** This act shall become effective July 1, 1951.

[Approved April 20, 1951.]

## CHAPTER 78.

### AN ACT RELATING TO CONTRACTS BY MARRIED WOMEN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Married Women.** Amend section 2 of chapter 340 of the Revised Laws as amended by chapter 193 of the Laws of 1949 by striking out the same and inserting in place thereof the following: **2. Wife's Contracts, etc.** Every married woman shall have the same rights and remedies, and shall be subject to the same liabilities in relation to property held by her in her own right, as if she were unmarried, and may convey, make contracts, and sue and be sued, in all matters in law and equity, and upon any contract by her made, or for any wrong by her done, as if she were unmarried.

**2. Validation.** Joint notes, obligations and all releases of rights of dower or homestead or either of them contained in mortgages, signed and acknowledged by married women since May 12, 1949 shall not be deemed invalid by reason of failure to have complied with the provisions of section 2 of chapter 340 of Revised Laws as amended by chapter 193 of the Laws of 1949.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

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## CHAPTER 79.

### AN ACT RELATIVE TO MARKING HIGHWAYS FOR MOTOR VEHICLE TRAVEL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles.** Amend section 16-a, chapter 119 of the Revised Laws as amended by chapter 103, Laws of 1949, by striking out said section and inserting in place thereof the following: **16-a. Highway Markings.** The commissioner of public works and highways and, subject to his approval, selectmen of any town or board of mayor and aldermen or group having similar powers in any city, having control of any high-

way may order such marking of highway, by painted lines, as is deemed necessary to the safe and efficient use of any such highway. In ordering or approving such marking the commissioner of public works and highways insofar as is practicable shall conform to nationally accepted standards and any marking of the highway by painted lines shall *prima facie* be deemed to be approved or ordered by the commissioner of public works and highways. When the single center line highway marking method is used, no operator of a motor vehicle shall, while proceeding along a highway, drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway by order of or with the approval of the said commissioner, except as herein otherwise provided, and when the barrier line highway marking system is employed, no operator of a motor vehicle shall, while proceeding along a highway, drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway in such operator's lane by order of or with the approval of said commissioner except (1) in an emergency, or (2) to permit ingress or egress to side roads or property adjacent to the highway, or (3) in case such operator has an unobstructed view and can see the end of the said unbroken painted line.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

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## CHAPTER 80.

### AN ACT RELATING TO BAIT DEALERS' LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bait Dealers.** Amend section 22-a of chapter 247 of the Revised Laws, as inserted by chapter 129 of the Laws of 1943 by adding after the word "do" the words, and the fee for such license shall be five dollars, so that said section as amended shall read as follows: **22-a. License Required.** No person shall sell or offer to sell fresh water smelt for bait without first procuring a license so to do and the fee for such license shall be five dollars.

**2. Takes Effect.** This act shall take effect July 1, 1951. [Approved April 20, 1951.]

## CHAPTER 81.

AN ACT RELATING TO REVOCATION OF FISH AND GAME LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fish and Game Licenses.** Amend section 10 of chapter 247 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Suspension; Revocation.** The director may order the suspension of the license of any person in his discretion, and without hearing, and may order the license delivered to him or his representative whenever he has reason to believe that the holder thereof is physically or mentally an improper or incompetent person to carry firearms, or is handling firearms improperly, or so as to endanger human life or property, or for any other cause that he may deem sufficient; but such suspension shall not be for a longer period than thirty days unless the director and the commission, after investigation and hearing, so determine. The director may order any license to be revoked after due hearing for any cause that he may deem sufficient.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

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## CHAPTER 82.

AN ACT RELATIVE TO RECORDS AND ADJUSTMENTS UNDER THE MINIMUM WAGE LAW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Minimum Wage.** Amend chapter 213 of the Revised Laws as amended by chapter 310, Laws of 1949 by inserting a new section after section 28 as follows: **28-a. Records and Adjustments.** Every employer subject to the preceding sections shall keep a true and accurate record of the hours worked by and wages paid to his employees and shall furnish to the commissioner, or his authorized representative, upon demand, a sworn statement of the same. Such records shall be open to inspection by the commissioner, or his authorized repre-

sentative, at any reasonable time. The commissioner is hereby authorized to make necessary adjustments, after checking such records, to bring the wages of the employees to the minimums established by sections 25 and 26.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

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## CHAPTER 83.

AN ACT RELATIVE TO CLASS I, CLASS II, CLASS IV AND CLASS V  
HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Town Highways.** Amend Part 13 of chapter 90 of the Revised Laws as amended by chapter 174, Laws of 1947 and chapters 18, 79 and 215, Laws of 1949, by striking out said part and inserting in place thereof the following:

### Part 13

#### Construction or Reconstruction Aid

**1. Towns Entitled to Class IV and Class V Construction, Reconstruction or Betterment Aid.** Any city, town or unincorporated place which has completed its Class II highways, shall be entitled to apply for aid for purposes of construction, reconstruction or betterments of Class IV and Class V highways. Any city, town or unincorporated place which has uncompleted portions of its Class II highways, shall also be entitled to apply for Class IV and Class V highway aid for any one year, provided it shall raise and appropriate for the same year such sums for construction of its uncompleted Class II highways as may be determined by the commissioner of public works and highways.

**2. Apportionment.** All funds available to cities, towns or unincorporated places pursuant to the provisions hereof shall be allotted by the commissioner of public works and highways upon the following basis: (a) Apportionment A. The commissioner shall apportion, on the basis of a sum of not less than nine hundred thousand dollars, to each city, town and un-

incorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place, as of January 1st of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date; (b) Apportionment B. The commissioner shall apportion to each city and town of twenty-five hundred inhabitants and over, one thousand dollars per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance, this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds; (c) Apportionment C. The commissioner shall apportion to eligible cities or towns the amount of federal funds which are available for their use.

**3. Contribution by Towns.** Any city, town or unincorporated place, which applies for Class IV and Class V highway aid, shall raise, appropriate or set aside an amount equal to not less than fifteen per cent of the apportionment made to it in Apportionment A, and shall further raise, appropriate and set aside at least one dollar for each dollar apportioned to it in Apportionment B. Failure to raise, appropriate or set aside the amount prescribed for any apportionment in the preceding sentence shall preclude the city, town or unincorporated place from receiving the said apportionment.

**4. Notice to Towns.** On or before February first of each year, the commissioner shall notify all cities, towns and unincorporated places of the amounts for which they are entitled to submit applications for Class IV and Class V highway aid.

**5. Application.** Each city, town or unincorporated place must apply to the commissioner for aid hereunder prior to May first of each year on forms prescribed by him. Each application shall state the specific location upon which funds will be used and shall further state that sufficient local funds are available to maintain any Class IV or Class V highway which has been previously improved with state funds under this part.



**6. Review.** The commissioner shall review each application with the person or persons having jurisdiction over highway expenditures in the applicant city, town or unincorporated place to determine if public convenience and necessity require the improvement for which said application has been made. The commissioner may reject any application made hereunder if (a) he is dissatisfied with the maintenance of previously improved Class IV or Class V highways in the applicant city, town or unincorporated place, (b) he disapproves the location upon which the funds applied for are to be expended.

**7. Joint Fund Expenditure.** Any contribution by a city, town or unincorporated place shall be remitted to the commissioner before any project is begun. Any such contribution shall be combined with any amount apportioned by the commissioner to the city, town or unincorporated place and shall thereafter constitute a joint fund. Said joint fund shall be expended under the supervision of and in accordance with specifications furnished by the commissioner; provided, however, that when projects are within a compact area, the city or town shall remit to the commissioner such part of its contribution as he shall determine, before preliminary engineering is begun.

**8. Exceptions.** No funds apportioned to any city, town or unincorporated place as hereinbefore provided shall be expended (a) as payment for land damages incidental to acquisition of necessary rights of way on non-federal-aid projects; (b) on locations previously improved with state funds under this part; provided, however, that stage construction shall be permitted.

**9. Unobligated Funds.** Any joint fund remaining unobligated at the end of the year for which allocated, shall revert to the state and the contributing city, town or unincorporated place in the same proportion as each contributed to the said fund.

**10. Maintenance Allotment by State.** In addition to any funds hereinbefore apportioned for construction and reconstruction purposes, the commissioner, in the month of July in each year, shall allot to each town a sum sufficient, when added to the amount which would be derived by a tax of forty cents on each one hundred dollars of the town's last equalized valuation, to equal one hundred and ten dollars for each mile of regularly maintained Class V highway in such town. The

sums so allotted shall be used for the care and maintenance of Class V highways and for no other purposes, under the supervision of the commissioner, and shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of the town.

**11. Rights not Affected.** Nothing contained in the previous section hereof shall be construed as prohibiting any town from appropriating a sum in excess of one hundred and ten dollars per mile of regularly maintained Class V highways, nor shall such excess appropriation operate to deprive such town of any benefits accruing under that section.

**12. State Contribution to Damage Losses.** Any city, town or unincorporated place which suffers damage to its highways through disaster which is estimated to exceed one-eighth of one per cent of its assessed valuation shall be entitled to aid in the repair of such damage providing the commissioner is notified of such damage and is requested to investigate the damage and advise the amount of aid to which the city, town or unincorporated place is entitled.

The commissioner shall survey the damaged highways and prepare an estimate of cost for the rehabilitation of these highways and shall notify the towns the proportionate share which the state will contribute and the estimated amount of aid available.

Aid to any city, town or unincorporated place shall be computed on that amount which is in excess of an amount equal to one-eighth of one per cent of its assessed valuation. To the extent that the damage exceeds this amount the commissioner shall make available any balances then existing in the joint fund account as set forth in section 7 of this part. In the event that these funds are insufficient to complete the necessary repairs, the commissioner shall make available, from the succeeding year's joint fund account as set up in section 7, an amount sufficient to complete repairs; provided, however, that said amount shall be so limited that, when combined with the balance of the current year's fund account as it existed prior to the disaster, the two shall not exceed the total of said current year's joint fund account; and provided further, that any funds allotted from the succeeding year's joint fund account shall be deducted from that account when it is made

available to the city, town or unincorporated place. In the event that additional funds over and above those previously stated are necessary the commissioner with the approval of the governor and council may apportion from any unobligated funds available such amounts as may be necessary to complete the rehabilitation provided that it shall not exceed fifty per cent of the cost of the damage remaining after application of those funds previously stated.

Nothing in this section shall prohibit any city, town or unincorporated place from making such emergency repairs as are deemed necessary for public convenience and such sums expended shall be considered part of the town's contribution.

**2. Continuation of Road Toll.** Amend section 11 of chapter 137, Laws of 1939, by striking out said section and inserting in place thereof the following: **11. Motor Vehicle Road Toll.** Beginning with the final payment of the bonds provided for by chapter 1 of the Laws of 1936, the additional road toll of one cent per gallon, provided for in section 6 of said chapter 1, shall be continued in full force and effect. Such additional motor vehicle road toll shall be collected in the manner now provided. A separate account of the additional motor vehicle road toll provided for by this section shall be kept by the state treasurer to which he shall add from time to time, at the direction of the governor acting with the advice and consent of the council, such sums from the separate account provided for by chapter 41 of the Laws of 1929, as amended by chapter 151 of the Laws of 1933, and the separate account provided for by chapter 1 of the Laws of 1936, as are not reasonably necessary for the payment of the bonds authorized by said chapters. The funds so held shall be used to pay the interest and principal of the bonds and notes provided for by this act. To the extent that said funds are insufficient, at any time, to pay the interest and principal due on any bonds and notes provided for by this act the governor shall draw his warrant upon the general highway funds for the payment thereof.

The one cent per gallon road toll imposed herewith shall be paid into a separate account until such time as sufficient funds accrue to pay for the interest and retire the bonds issued under this act. Upon such accrual the one cent per gallon road toll imposed herewith shall continue and shall be thereafter paid into the highway fund.

**3. Repeal of Inconsistent Laws.** Chapter 239, Laws of 1947, chapter 198, Laws of 1949, and sections 1 to 6 inclusive, of chapter 10, Laws of 1950, are hereby repealed, except that payment of any bonds or notes previously issued thereunder shall be made in accordance with the provisions of section 9 of this act.

**4. Appropriation.** The sum of fourteen million dollars is hereby appropriated for the construction, reconstruction and betterment of Class I, Class II, Class IV and Class V highways. The sum hereby appropriated shall be expended under the direction of the commissioner of public works and highways.

**5. Bond Issue Authorized.** In order to provide funds for the payment of the appropriation authorized by section 4 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding fourteen million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds shall be deemed a pledge of the faith and credit of the state.

**6. Form; Proceeds of Sale.** The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the state treasurer and countersigned by the governor. The state treasurer may sell such bonds or notes under the direction of the governor and council, provided all such bonds or notes be sold; (1) at public sale bidding; (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest responsible bidder. The governor is authorized to draw his warrants for the sum hereinbefore appropriated for the purposes of this act out of the proceeds of the sale of said bonds or notes.

**7. Accounts.** The secretary of state shall keep an account of all such bonds or notes showing the number and amount of each, the time of countersigning, the time when payable, and the date of delivery to the state treasurer. The state treasurer

shall keep an account of each bond or note showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of sale, and the time when payable.

**8. Short Term Notes.** Prior to the issuance of the bonds hereunder, and in anticipation of the collection of revenue hereunder, the state treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term notes, to be refunded by the issuance of the bonds hereunder; provided, however, that at no time shall the indebtedness of the state on such short-term notes exceed the sum of fourteen million dollars.

**9. Road Toll.** In addition to the four cent per gallon of motor vehicle road tolls now imposed pursuant to the provisions of section 11, chapter 137, Laws of 1939, and chapter 120 of the Revised Laws as amended by chapter 65 of the Laws of 1943, chapter 34, Laws of 1945, chapters 138 and 277, Laws of 1947, and chapters 32, 169 and 242, Laws of 1949, a supplemental road toll of one cent per gallon is hereby imposed for the purposes of this act so that from and after the effective date hereof the motor vehicle road tolls of this state shall total five cents per gallon. The road tolls shall be used initially to pay the interest and principal due on any bonds and notes issued under this act, or under any previous act pertaining to highway construction, and the remainder shall be paid into the highway fund.

**10. Takes Effect.** The provisions of this act shall take effect upon its passage provided that the collection of the supplemental road toll provided for in section 9 shall not begin until the first day of the month after the passage of this act and said supplemental road toll shall be continued until July 1, 1966.

[Approved April 25, 1951.]

## CHAPTER 84.

### AN ACT RELATIVE TO PROTECTED AND UNPROTECTED BIRDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Definitions under Fish and Game Laws.** Amend the definition of unprotected birds, in section 1, chapter 241 of the Revised Laws, by striking out the same and inserting in place thereof the following: Unprotected Birds: English sparrows, European starlings, crows, cooper's hawk, sharp-shinned hawk, great horned owl, barred owl, snowy owl, except such birds as are protected by the laws of federal government.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 25, 1951.]

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## CHAPTER 85.

### AN ACT RELATIVE TO ATTACHES OF THE LEGISLATURE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Salaries.** Amend sections 18, 19 and 20 of chapter 9 of the Revised Laws by striking out said sections and inserting in place thereof the following: **18. Senate Clerk.** The compensation of the clerk of the senate shall be ninety-five dollars a week for each six-day week of any regular session, together with three hundred and fifty dollars when he files with the secretary of state a printed copy of his journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

**19. House Clerk.** The compensation of the clerk of the house shall be one hundred dollars a week for each six-day week of any regular session together with four hundred twenty-five dollars when he files with the secretary of state a printed copy of his journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

**20. Assistant Clerks.** The compensation of the assistant clerk of the senate shall be eighty dollars per week for each six-day week of any regular session, and the compensation of the assistant clerk of the house shall be ninety-five dollars per week for each six-day week of any regular session.

**2. Salaries.** Amend section 23-a of chapter 9 of the Revised Laws as inserted by section 1, chapter 1 of the Laws of 1947, by striking out said section and inserting in place thereof the following: **23-a. Stenographers.** The compensation of the stenographers of the senate and house of representatives shall be as follows: For the chief stenographer ten dollars a day; for other stenographers and mileage clerk seven dollars for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of nine dollars a day; each for six days a week.

**3. Takes Effect.** This act shall take effect as of January 3, 1951.

[Approved April 26, 1951.]

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## CHAPTER 86.

### AN ACT RELATING TO TRUSTEES AND DIRECTORS OF SAVINGS BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bank Directors and Trustees.** Amend section 9 of chapter 308 of the Revised Laws by inserting after the word "exception" in the first line the words, so long as a quorum is available for the transaction of business; and by adding at the end thereof the words, or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America or during periods of their attendance at sessions of the general court as members thereof, so that said section as amended shall read as follows: **9. Exceptions.** So long as a quorum is available for the transaction of business, the provisions of section 8 shall not apply to directors of trust companies who reside more than five hundred miles from the place

of meeting or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America or during periods of their attendance at sessions of the general court as members thereof.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 26, 1951.]

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## CHAPTER 87.

### AN ACT RELATIVE TO THE REGISTRATION OF WOOD PROCESSING MILLS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Registration.** Amend section 58, chapter 233 of the Revised Laws as amended by section 1, chapter 82, Laws of 1949, by striking out said section and inserting in place thereof the following: **58. Registration.** No person shall in any one year operate or cause to be operated any mill processing lumber or forest products within the following classes until said mill shall be registered by the state forestry and recreation commission. Class One: All commercial permanent and portable mills wherever located sawing or otherwise processing logs, bolts or other primary forest products; also planing mills and other manufacturing plants utilizing wood products that are located in or near woodlands as defined in section 31 of chapter 241 of the Revised Laws or where fire may be communicated to such lands. Class Two: All non-commercial mills operated as an incidental part of a farm operation, located in or near woodlands as defined in said section 31. Application for registration shall be in writing, giving the name of owner or owners, the location and type of mill, and such other pertinent information as the commission may require.

**2. Fees.** Amend section 59 of said chapter 233 by striking out said section and inserting in place the following: **59. Fees.** Registration shall, in all cases, expire December thirty-first of each year. The fee for such registration of a Class One mill shall be twenty-five dollars, unless registration is made



after October first, in which case the fee shall be ten dollars. The fee for registration of a Class Two mill shall be ten dollars unless application is made after October first in which case the fee shall be three dollars.

**3. Takes Effect.** This act shall take effect January 1, 1952. [Approved April 26, 1951.]

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## CHAPTER 88.

### AN ACT RELATING TO NOTICE BY ADMINISTRATORS TO PARTIES IN PENDING ACTIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Administrators.** Amend section 10 of chapter 355 of the Revised Laws by adding at the end thereof the following: Provided, that in the latter case, the administrator shall forthwith notify in writing the adverse party or his attorney of record of such death and grant of administration, and such action shall not be barred until the end of the second term after the giving of such notice. Such notice shall be by registered mail, return receipt requested, and such administrator shall file an affidavit in the probate court, showing compliance with the provisions thereof, provided further however, that any justice of the superior court shall for good cause shown grant leave from any of the foregoing provisions as justice may require, so that said section as amended shall read as follows:

**10. Pending Actions.** If such an action is pending at the time of the decease of one of the parties it shall abate and be forever barred, unless the administrator of the deceased party, if the deceased was plaintiff, shall appear and assume the prosecution of the action before the end of the second term after the decease of such party, or, if the deceased party was defendant, unless the plaintiff shall procure a *scire facias* to be issued to the administrator of the deceased party before the end of the second term after the original grant of administration upon his estate. Provided, that in the latter case, the administrator shall forthwith notify in writing the adverse party or his attorney of record of such death and grant of administration,

and such action shall not be barred until the end of the second term after the giving of such notice. Such notice shall be by registered mail, return receipt requested, and such administrator shall file an affidavit in the probate court, showing compliance with the provisions thereof, provided further however, that any justice of the superior court shall for good cause shown grant leave from any of the foregoing provisions as justice may require.

2. **Takes Effect.** This act shall take effect upon its passage. [Approved April 26, 1951.]

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## CHAPTER 89.

### AN ACT RELATIVE TO LEGAL LENGTH OF MOTOR BUSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Legal Length of Motor Vehicles.** Amend section 38 of chapter 119 of the Revised Laws, as amended by chapter 108, Laws of 1943, and chapter 61 of the Laws of 1945, by striking out said section and inserting in place thereof the following:

38. **Width and Length.** No vehicle whose width including load is greater than ninety-six inches, or whose length including load is greater than thirty-five feet, and no combination of wheels coupled together whose total length, including load, is greater than forty-five feet, shall be operated on the highways of this state. Provided, however, that the provisions of this section relative to length shall not apply to vehicles transporting poles, logs, timbers or metal, when actually so employed, and that in determining width there shall be excluded six inches of any increase in width due to changing to low pressure tire equipment from other tire equipment. Provided further, that a vehicle may be operated on the highways of this state transporting a load of loose hay or loose fodder when the width including such load is greater than ninety-six inches so long as the width of said vehicle without said load does not exceed said ninety-six inches. Provided further, that a motor bus may be operated on the highways of this state which shall be equipped with three axles, and which shall not exceed an overall length, inclusive of front and rear bumpers, of forty

feet, and which shall not have an axle load of more than eighteen thousand pounds on any one axle, provided further, that said type motor bus may be operated only on those highways specifically designated by the commissioner of motor vehicles.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 30, 1951.]

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## CHAPTER 90.

### AN ACT RELATIVE TO SUPPORT OF PERMANENTLY AND TOTALLY DISABLED PERSONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Permanently and Totally Disabled Persons.** Amend paragraph I of section 6 of chapter 126 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: I. General. Develop plans to provide assistance to needy aged, blind, permanently and totally disabled persons, and dependent children; administer or supervise the administration of these activities, child welfare services, social service index and other activities hereinafter mentioned.

**2. Aid to the Permanently and Totally Disabled.** Amend section 8 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following:

**8. Settlement.** No person shall lose or be prevented from gaining a settlement because of receiving old age assistance, aid to the blind, aid to dependent children, or aid to the permanently and totally disabled under the provisions of this chapter.

**3. Permanently and Totally Disabled Persons.** Amend section 11 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **11.**

**Designations.** Assistance granted to needy aged persons shall be designated as old age assistance; assistance granted to the needy blind shall be designated as aid to the blind; assistance granted to needy dependent children shall be designated as aid to dependent children; assistance granted to needy permanently and totally disabled persons shall be designated as aid

to the permanently and totally disabled; assistance granted in these groups shall be in the form of money payments to or with respect to needy individuals and such separate records and accounts shall be kept and other requirements met as are necessary to qualify for grants-in-aid from the federal government.

**4. Eligibility for Aid.** Amend section 12 of chapter 126 of the Revised Laws as amended by chapter 43 of the Laws of 1945 and chapter 179 of the Laws of 1945 by striking out said section and inserting in place thereof the following: **12. Definitions.** (a) For the purposes hereof a person shall be eligible for old age assistance who is sixty-five years of age; is not on account of his physical condition in need of continued public institutional care; is a citizen of the United States and has been a resident of the state for at least five years within the nine years immediately preceding his application for such aid and has resided in the state continuously for one year immediately preceding said application.

(b) For the purposes hereof a person shall be eligible for aid to the needy blind who has no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential. No person shall be eligible to receive such aid while receiving old age assistance or aid to dependent children.

(c) For the purposes hereof a person shall be eligible for aid to dependent children who is a needy child under the age of sixteen, or between the ages of sixteen and eighteen and enrolled in school, who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt in a place of residence maintained by one or more of such relatives as his or their home. No person shall be eligible to receive such aid while receiving old age assistance.

(d) For the purposes hereof a person shall be eligible for aid to the permanently and totally disabled who is between the ages of eighteen and sixty-four years inclusive; is a citizen of the United States and has been a resident of the state for at least five years within the nine years immediately preceding his application for such aid and has resided in the state con-

tinuously for one year preceding said application, and who is permanently and totally disabled.

**5. Aid to the Permanently and Totally Disabled.** Amend section 14 of chapter 126 of the Revised Laws by adding after the words "old age assistance" the words, or aid to the permanently and totally disabled, so that said section as amended shall read: **14. Application for Assistance.** Application for assistance under this chapter shall be made in the first instance to the commissioner or his duly authorized agent. The application shall be in writing and upon a form prescribed by the department. Except in cases of emergency no aid shall be granted until completion of the investigation herein required. Whenever an application for old age assistance or for aid to the permanently and totally disabled is received the commissioner shall immediately give notice of such application to the selectmen of any town or the overseer of the poor of any city wherein said applicant claims a legal settlement, or otherwise to the county commissioners of the county in which said applicant resides, and shall also notify them of any decision thereon.

**6. Claims Against Estates.** Amend section 19 of chapter 126 of the Revised Laws as amended by section 1 of chapter 44 of the Laws of 1947 and section 1 of chapter 100 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **19. Recovery.** If at any time during the continuance of assistance the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount stated in the application, it shall be the duty of the recipient immediately to notify the commissioner of the receipt or possession of such property or income. On the death of a recipient of old age assistance or aid to the permanently and totally disabled, the total amount of assistance paid under this chapter shall be allowed as a claim against the estate of such person after payment of the expenses of administration, the necessary charges for the burial of the deceased and the payment of claims for the last sickness of the deceased. No claim shall be imposed against the real estate of a recipient of old age assistance or aid to the permanently and totally disabled while it is occupied as a home by a surviving spouse, or against any personal property of less than one hundred dollars in value. The federal government shall be entitled, as long as required as a condition

to federal financial participation, to such proportion of the net amount collected from the estate of a recipient of old age assistance or aid to the permanently and totally disabled as the federal participation bears to the total amount of assistance granted said recipient.

**7. Liability of Counties and Towns.** Amend section 21 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Reimbursements of Fund.** All expenditures in carrying out the purposes of this chapter relative to old age assistance or aid to the permanently and totally disabled shall be made in the first instance from the public assistance fund hereby created but each county or town shall, within sixty days from notice thereof, reimburse said fund for all assistance granted to aged persons or permanently and totally disabled persons for which such county or town is liable to the extent of twenty-five per cent thereof.

**8. Public Assistance Funds.** Amend section 23 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **23. Public Assistance Fund Created.** There is hereby established in the state treasury a public assistance fund which shall consist of all funds made available for the purposes of this chapter by the federal government or the state. Within this fund there shall be established the following separate accounts: Old Age Assistance; Blind Assistance and Service; Aid to Dependent Children; Child Welfare Services; Aid to the Permanently and Totally Disabled; Administration and Service. The Commissioner, with the approval of the governor and council, may make transfers of state funds between accounts within the fund. Moneys shall be disbursed from this fund upon authorization of the commissioner for the purposes of this chapter. (1) All moneys advanced to or otherwise placed at the disposal of the state by the federal government and accepted by the state under the provisions hereof, (2) all moneys received from counties or towns pursuant to the provisions hereof, (3) the sums appropriated for the department, and (4) the moneys appropriated to carry out the provisions of this chapter, shall be kept by the state treasurer in said public assistance fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of

this chapter and other purposes of the board authorized by law. Unexpended balances in the accounts of said fund shall not lapse but shall be available for expenditure by the commissioner, with the approval of the governor and council, for the purposes of this chapter.

**9. Authorization for Payments.** Amend section 30 of chapter 126 of the Revised Laws by adding after the words "assistance" in the first line the words, or aid to the permanently and totally disabled, so that said section as amended shall read as follows: **30. Guardian.** If the person receiving old age assistance or aid to the permanently and totally disabled is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, the commissioner may make the payments of such assistance to any responsible person, guardian, or corporation, for his benefit.

**10. Limitation.** Amend section 31 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **31. Assistance, Exclusive.** No person receiving old age assistance or aid to the permanently and totally disabled under this chapter shall at the same time receive any other relief from the state, or from any political subdivision thereof, except for medical and surgical assistance, and the acceptance of such relief shall operate as a revocation of old age assistance or aid to the permanently and totally disabled. The names of persons receiving old age assistance or aid to the permanently and totally disabled under the provisions of this chapter shall not be printed in any report of the county commissioners or of the board of public welfare nor published in any state, county, or town report.

**11. Agreements Required.** Amend section 32-a of chapter 126 of the Revised Laws as inserted by section 1 of chapter 173 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **32-a. Condition.** The commissioner shall require as a condition to granting old age assistance or aid to the permanently and totally disabled in any case that the applicant, and the spouse of the applicant, if any, residing with the applicant, submit a properly acknowledged agreement to reimburse the federal government, the state and the county or town for all assistance granted. In such agreement such applicant, and the spouse of the applicant, if any, shall assign as collateral security for such assistance

such part of his personal property as the commissioner shall demand. All funds recovered under the provisions of this and the preceding section, after any necessary reimbursement to the federal government as provided in section 19, shall be allocated to the county or town and to the state in the same proportion as the assistance paid by each.

**12. Further Requirements.** Amend section 33 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **33. Assignment of Property.** If the commissioner shall deem it necessary he may require as a condition to the grant or continuance of old age assistance or aid to the permanently and totally disabled in any case that all or any part of the property of a person applying for such aid be transferred to the board in trust as follows: Such property shall be managed by said board and the net income thereof shall be paid to such person; said board shall have the power to sell, lease, or transfer such property or defend or prosecute all suits concerning it and to pay all just claims against it and to do all things necessary for the protection, preservation, and management thereof. If the old age assistance or aid to the permanently and totally disabled of such person is discontinued during his lifetime, the property thus transferred shall be returned to him subject to a lien on such property for any sums paid to him as old age assistance or aid to the permanently and totally disabled under this chapter, or the remainder of such property after deducting therefrom the sums paid to him as such assistance shall be returned to him. In the event of his death, the remainder of such property, after deducting therefrom the sums paid him as old age assistance or aid to the permanently and totally disabled under this chapter, shall be considered as the property of the estate of the beneficiary for administrative proceedings. The board shall execute and deliver all necessary instruments to give effect to this section.

**13. Application of Statutes.** The provisions of sections 34, 35, 36 and 37 of chapter 126 of the Revised Laws relative to confidential character of records, misuse of lists and records, penalties and legal proceedings shall be applicable to the administration of aid to the permanently and totally disabled under the provisions of this chapter as hereinbefore amended.

**14. Transfer of Funds Authorized.** The commissioner,



with the approval of the governor and council, is hereby authorized to transfer from balances of state funds presently remaining in any account or accounts of the public assistance fund to the aid to the permanently and totally disabled account of said fund such sums as shall be necessary to furnish assistance to the permanently and totally disabled in accordance with the provisions of this act between the date of the passage of this act and June 30, 1951.

**15. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 2, 1951.]

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## CHAPTER 91.

### AN ACT RELATIVE TO THE CLOSING OF COUNTY OFFICES ON SATURDAYS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Registers of Deeds.** Amend section 11, chapter 49 of the Revised Laws as amended by section 1, chapter 234 of the Laws of 1947, by striking out the same and inserting in place thereof the following: **11. Office Hours.** Every register shall keep his office open daily except Sundays and legal holidays. It may be closed on Saturday if not incompatible with public business; provided, however, that the register may keep his office open on Saturday mornings in the custody of a single custodian whenever he deems it necessary.

**2. Registers of Probate.** Amend section 2, chapter 347 of the Revised Laws as amended by section 2, chapter 234 of the Laws of 1947, by striking out said section and inserting in place thereof the following: **2. Office Hours.** Every register shall keep his office open daily, except Sundays and legal holidays. It may be closed on Saturday if not incompatible with public business; provided, however, that the register may keep his office open on Saturday mornings in the custody of a single custodian whenever he deems it necessary.

**3. Clerk of Superior Court.** Amend section 3, chapter 374 of the Revised Laws, as amended by section 3, chapter 234 of the Laws of 1947, by striking out said section and inserting in

place thereof the following: 3. **Office Hours.** The office of the clerk shall be kept in a town in which a term of court for the county is required to be holden. He shall keep his office open daily except Sundays and holidays. It may be closed on Saturday if not incompatible with public business; provided, however, that the clerk may keep his office open on Saturday mornings in the custody of a single custodian whenever he deems it necessary.

4. **Takes Effect.** This act shall take effect upon its passage. [Approved May 2, 1951.]

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## CHAPTER 92.

### AN ACT RELATING TO THE CLERK'S FEE FOR ISSUING CERTIFICATE OF CONFORMITY TO REQUIREMENTS OF MARRIAGE INTENTIONS NOTICE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Record of Notice.** Amend section 29 of chapter 338 of the Revised Laws by striking out the word "two" in the second line thereof and inserting in place thereof the word, three, so that said section as amended shall read as follows: 29. **Fee.** The fee of the clerk for making the record of notice and issuing his certificate shall be three dollars, to be paid by the parties.

2. **Takes Effect.** This act shall take effect upon its passage. [Approved May 2, 1951.]

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## CHAPTER 93.

### AN ACT RELATIVE TO THE FEES OF PUBLIC WEIGHERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Fees.** Amend section 47 of chapter 192 of the Revised Laws by striking out the word "fifteen" in the first line and substituting therefor the word, twenty-five, so that said section as amended shall read as follows: 47. **Fees.** Public

weighers shall be paid such fees, not exceeding twenty-five cents for each weighing, as shall be prescribed by the body by which they are appointed, which shall be in full for the use of the scales, the certificates furnished, the recording thereof and all official services performed.

2. **Takes Effect.** This act shall take effect upon its passage.  
[Approved May 2, 1951.]

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## CHAPTER 94.

### AN ACT RELATIVE TO CHILD LABOR.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Employment of Child Labor.** Amend section 18 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 18. **Under Fourteen.** No child under the age of fourteen shall be employed, or permitted or suffered to work in any occupation, except farm or domestic labor.

2. **Inspection Authorized by Commissioner of Labor.** Amend section 20 of said chapter 137 by striking out said section and inserting in place thereof the following: 20. **Inspections.** Whenever requested by the commissioner of labor the state board of health shall cause an inspection to be made of any place in which children under the age of sixteen are employed, and may require the discharge of any child found employed therein who by reason of physical condition, of unsanitary conditions of employment, or of development below the normal for children of that age, cannot in their judgment continue to be employed without undue risk to health.

3. **Issue of Employment Certificates.** Amend section 26 of chapter 137 of the Revised Laws by striking out the words "school board" in the third line and inserting in place thereof the word, him, so that said section as amended shall read as follows: 26. **Issue.** An employment certificate shall be issued only by the superintendent of schools, or in the absence of the superintendent by a person authorized by him. No person shall issue such certificate for any child then in or about

to enter such person's own employment, or the employment of a firm or corporation of which he is a member, officer or employee. In the city of Manchester the duties in relation to the issuing of employment certificates shall be performed by a person named by the superintendent of schools with the assent of the school board, and the person so appointed shall be subject to the terms hereof.

**4. Physical Examination.** Amend paragraph III of section 27 of said chapter 137 by adding after the word "health" in the first line the words, or the child's family physician, so that said paragraph as amended shall read: III. A certificate from a medical officer of the local board of health, or the child's family physician, or from a physician designated by the school board, that the child has reached the normal development for his age, and that he is in sufficiently sound health and physically able to perform the work which he intends to do.

**5. Records.** Amend section 33 of said chapter 137 by adding at the end thereof the following words, copy of the certificate shall be sent to the department of labor immediately upon its issuance, so that said section as amended shall read as follows: **33. Certificate Recorded.** The superintendent of schools or other person authorized to issue employment certificates shall keep a record of same in a book. Such record shall contain a list of the names of all children to whom certificates are granted, numbered consecutively, together with the date of issue and the signature of the officer issuing the certificate, and shall be carefully preserved. Copy of the certificate shall be sent to the department of labor immediately upon its issuance.

**6. Supplying Forms.** Amend section 34 of said chapter 137 by striking out the words "state board" in the third and fourth lines and inserting in place thereof the words, state department of labor, so that said section as amended shall read as follows: **34. Forms.** All blank forms for records used in the enforcement and administration of this subdivision shall be uniform throughout the state, shall be prescribed by the state department of labor, and shall be furnished by the state, and the method of keeping the same shall be prescribed by the state department of labor.

**7. Repeal.** Section 37 of chapter 137 of the Revised Laws, relative to enforcement, is hereby repealed.

8. **Penalty.** Amend section 47 of said chapter 137 by striking out the words "state board" in the fourth line and inserting in place thereof the words, state department of labor, so that said section as amended shall read as follows: 47. **Penalty.** Whoever employs a person between sixteen and twenty-one years of age contrary to the foregoing provisions shall be fined not more than fifty dollars. It shall be the duty of truant officers, inspectors appointed by the state department of labor, police officers, constables, sheriffs, and city and county solicitors to enforce the provisions of this section.

9. **Takes Effect.** This act shall take effect upon its passage. [Approved May 2, 1951.]

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## CHAPTER 95.

### AN ACT RELATIVE TO FEES FOR REGISTRATION AS LEGISLATIVE COUNSEL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Legislative Counsel.** Amend chapter 9 of the Revised Laws by inserting after section 27 the following new section: 27-a. **Fee for Registration.** The fee for registration as legislative counsel, for any one legislative session, in accordance with the provisions of section 27, shall be ten dollars.

2. **Takes Effect.** This act shall take effect as of January 1, 1952.

[Approved May 2, 1951.]

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## CHAPTER 96.

### AN ACT RELATING TO MOTOR VEHICLE LIABILITY POLICY FORMS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Change in Form.** Amend section 15 of chapter 122 of the Revised Laws by striking out the comma after the word "name" and the words "and business" as they appear in the

tenth line thereof and inserting the word, and, before the word "address" in said line so that section as amended shall read as follows: **15. Policy, Form.** No motor vehicle liability policy, as defined in section 1, shall be issued or delivered in the state until a copy of the form of the policy has been on file with the insurance commissioner for at least thirty days, unless, during said period, the insurance commissioner shall have approved in writing the form of the policy, nor shall such policy be issued if the insurance commissioner notifies the insurance company in writing that, in his opinion, the form of the policy does not comply with the laws of the state. Notification of his approval or disapproval shall be given in writing within said period. The insurance commissioner shall approve a form of policy which contains the name and address of the insured, a description of the motor vehicles and trailers or semi-trailers covered, with the premium charges therefor, the policy period, the limits of liability as between the insured and the insurance company, and an agreement that insurance is provided in accordance with and subject to the provisions of this chapter.

The policy may provide that the insured, or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured, and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 2, 1951.]

## CHAPTER 97.

AN ACT RELATIVE TO REGISTRATION AND OPERATION OF MOTOR  
VEHICLES BY PERSONS ENTERING THE MILITARY SERVICE OF  
THE UNITED STATES FOR NATIONAL DEFENSE AND  
POWERS OF THE COMMISSIONER OF MOTOR  
VEHICLES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicle Registration.** Any person who is ordered into or enlists in the military or naval service of the United States in connection with the strengthening of the national defense in any war emergency may make application to the motor vehicle commissioner stating the fact of such service and requesting suspension of registration of any motor vehicle owned by him during such service. Upon receipt of such application, the motor vehicle commissioner is hereby authorized to suspend registration of such motor vehicle for such time and to reimburse said person for a portion of the registration fees paid by him for the current year on a pro rata basis according to the number of months said motor vehicle is unused. Any refunds made under the provisions hereof shall be a charge upon the funds of the motor vehicle department. Upon the termination of such service, upon application, the motor vehicle commissioner shall reregister said vehicle for the then current year upon payment of a like pro rata fee.

**2. Operation of Motor Vehicles.** Any person who is a member of the armed forces of the United States and who at the time of his induction, call on reserve commission or enlistment into such forces was the holder of a valid New Hampshire license to operate motor vehicles in this state, shall, notwithstanding the expiration of such license, be entitled to operate a motor vehicle without obtaining a new license therefor. Such person shall, while operating a motor vehicle, carry upon his person the license issued to him, in force at the time of his entrance into the armed forces, and conclusive evidence that he is a member of said armed forces. Nothing in this act shall be construed to permit a person against whom a revocation or suspension of a license is in force, or a person who has been refused a license by the commissioner of motor vehicles, to operate a motor vehicle.

**3. Suspension of Age Requirement.** In addition to the other powers of the commissioner of motor vehicles during any war emergency and until April first next, succeeding the termination thereof, he shall have authority to issue a commercial operator's license to any person between the ages of sixteen and eighteen, otherwise duly qualified. During said period the provisions of sections 15 and 16 of chapter 117 of the Revised Laws, as amended by sections 6 and 7, chapter 189 of the Laws of 1949 and section 17, chapter 16 of the Laws of 1950, inconsistent with the provisions hereof, are hereby suspended. Said license shall be restricted to the operation of motor vehicles of one and one-half ton manufacturers' rating or less.

**4. Takes Effect.** This act shall take effect only during a period of armed hostilities as declared by the Congress and President of the United States.

[Approved May 3, 1951.]

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### Chapter 98.

#### AN ACT RELATIVE TO THE PURCHASE OF INSURANCE FOR THE FORESTRY AND RECREATION COMMISSION BUILDING AT FRANCONIA NOTCH, NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Insurance, Forestry and Recreation Stock Rooms.** Amend chapter 233 of the Revised Laws by inserting after section 4 the following new section: 4-a. The director of recreation, subject to the approval of the forestry and recreation commission, shall have power to protect merchandise purchased for resale situated in the forestry and recreation building at Franconia Notch, Franconia, New Hampshire, against fire and water damage, and such insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7 of part 24 of chapter 5 of the Laws of 1950.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 3, 1951.]



## CHAPTER 99.

AN ACT RELATIVE TO LICENSES OF BONDED WAREHOUSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bonded Warehouses.** Amend section 1 of chapter 205 of the Revised Laws as amended by section 15, chapter 265, of the Laws of 1949, by striking out said section and inserting in place thereof the following: **1. Licenses.** Any person, firm or corporation having a place of business within the state, who keeps and maintains for hire a warehouse for the storage of goods, wares, and merchandise of persons, firms or corporations shall be a public warehouseman. A public warehouseman shall obtain an annual license from the secretary of state. The fee for such license shall be fifty dollars. Whoever violates any provision of this section shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 3, 1951.]

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## CHAPTER 100.

AN ACT TO PROVIDE FOR ABSENTEE VOTING FOR PERSONS IN THE ARMED FORCES AND CIVILIANS SERVING THEREWITH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Members of the Armed Forces and Civilians Serving Therewith.** Any armed services absentee as hereinafter defined voting as herein permitted may substitute for the jurat required by chapter 34 of the Revised Laws and transmit with the sealed ballot a written statement in such form as the secretary of state shall prescribe, setting forth the facts required, made before any commissioned officer, non-commissioned officer, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the administrator of the war shipping administration.

**2. Definition of Armed Services Absentee.** The term "armed services absentee" as used herein shall be construed to mean:

I. Members of the armed forces and the merchant marine of the United States.

II. Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots and the United Service Organizations, who are attached to and serving with the armed forces of the United States. The term "members of the merchant marine of the United States" shall mean persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States war shipping administration.

**3. Armed Services Ballots.** The secretary of state shall prepare armed services ballots similar to the official ballot for the use of armed services absentees in such quantities as he may deem necessary together with envelopes upon which shall be printed the affidavits prescribed by chapter 34 of the Revised Laws. He shall determine their size, weight, type and color of paper. The secretary of state shall retain for his own use so many of the papers provided for in this chapter as he may deem sufficient, and shall supply each city and town clerk in the state with as many of them as he may deem necessary.

**4. Applications.** Applications for armed services ballots for armed services absentees may be made in any form to the secretary of state by the armed services absentee or any one on his behalf, provided his name, service organization, service address and legal residence are disclosed. Upon receipt of any such application the secretary of state shall forward it by mail to the clerk of the town or city of the voting place indicated. The town or city clerks shall forward by mail an armed services ballot with the necessary envelopes to such armed services absentee.

**5. Information Furnished.** The registrars of voters or supervisors of the check-list are hereby required to furnish to the town or city clerks upon their request any information relative to persons entitled to vote in their ward or town which may be necessary to enable them to determine the proper ballot to be sent to an armed services absentee. Whoever violates any provision of this section shall be fined not more than fifty dollars.

**6. Voting Procedure.** An armed services absentee who has received an armed services ballot may vote by mailing or causing to be delivered to the secretary of state such ballot marked and sworn to as follows: He shall deliver said ballot to any official authorized by law to administer oaths, or any officer described in section 1 hereof, for examination, who shall satisfy himself that it is unmarked and the voter shall not allow said official or officer to see how he marks it, and said voter shall mark said ballot in the presence of said official or officer and no other person. Said official or officer shall hold no communication with the voter, nor he with said official or officer, as to how he is to vote; provided, however, that in the case of any armed services absentee who, because of blindness, or other physical disability, is unable to mark his ballot, such official or officer may assist him to mark his ballot as directed by said voter. Such official or officer shall certify on the outside thereof that it was so marked with his assistance, and shall thereafter give no information regarding the same. After marking the ballot, the voter shall enclose and seal the same in the envelope provided for that purpose. He shall then execute before said official or officer the affidavit on said envelope and shall enclose and seal the envelope containing the ballot in the return mailing envelope, endorse thereon his name and voting place, and shall then mail the envelope or cause it to be delivered to the secretary of state.

**7. Procedure by Secretary of State.** Upon receipt of the envelope containing the armed services ballot the secretary of state shall send it to the clerk of the city or town of the voting place indicated on the envelope.

**8. Registration of Voters.** Upon receipt of the envelope containing an armed services ballot the clerk of the city or town shall open and retain the mailing envelope and deliver the voting envelope to the registrars of voters or supervisors of the check-list of the voting place indicated thereon who shall examine the same. The affidavit appearing on the outside of the envelope, if properly executed, shall be *prima facie* evidence of the voter's qualifications to become a voter and his name shall be added to the check-list. The registrars or supervisors of the check-list shall then return the envelopes unopened to the city or town clerk who shall see that they check in number with the mailing envelopes. Said clerk shall attach the two corresponding envelopes and shall deliver them to the moder-

ator before the hour for the closing of the polls upon election day to be counted. No armed services ballot shall be rejected by a moderator for the lack of an attached application.

**9. Conformity with Federal Legislation.** The secretary of state and all other appropriate officials or boards are hereby authorized to perform all acts which he or they may be authorized to perform by any federal statute affecting voting by those to whom the statute is applicable and to accept any federal funds which may be made available to defray any expense in connection therewith, in so far as the same may not be repugnant to the constitution of this state.

**10. Laws Suspended.** Such provisions of chapters 32 and 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

**11. Takes Effect.** This act shall take effect upon its passage.

[Approved May 7, 1951.]

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## CHAPTER 101.

### AN ACT RELATIVE TO RECORDING FEES FOR TOWN CLERKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Conditional Sales.** Amend chapter 262-B of the Revised Laws, as inserted by chapter 104 of the Laws of 1945, by inserting after section 10 the following new section: **10-a. Recording Fees.** Fees to be paid to the recording officer under the provisions of section 10 shall in each case be at least a minimum of one dollar.

**2. Town Clerks.** Amend section 5 of chapter 219-A of the Revised Laws, as inserted by chapter 27, Laws of 1949, by adding at the end thereof the following: provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees a charge for services hereunder shall be made and the town shall reimburse the clerk for said charges, so that said section as amended shall read as follows: **5. Copies of Public Records.** When a copy of any public record is required by the veterans

administration to be used in determining the eligibility of any person to participate in benefits made available by the veterans administration, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his behalf or the authorized representative of the veterans administration with a certified copy of such record; provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees a charge for services hereunder shall be made and the town shall reimburse the clerk for said charges.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

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## CHAPTER 102.

### AN ACT RELATING TO OBSCENE LITERATURE, PICTURES AND ARTICLES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Obscene Matter.** Amend chapter 441 of the Revised Laws as amended by section 1 of chapter 256 of the Laws of 1949 by inserting after section 14 the following new section:

**14-a. Evidence of Intent.** Whenever any person has in his possession any obscene or lewd or lascivious thing, object, book, pamphlet, magazine, newspaper, print or picture, such possession shall be deemed to be *prima facie* evidence of the intent to sell, lend, give or show such article, object, or thing to another person. Provided, however, that nothing contained in sections 14 and 14-a shall be deemed to restrict the selling, lending, giving or showing of books, pictures, objects or things of art including medical, scientific, educational and literary publications, periodicals, text books, and other related matter which are printed, possessed, circulated, displayed or advertised for the advancement of art, medicine, science, education and literature.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

**CHAPTER 103.****AN ACT RELATIVE TO THE MILITARY RANK OF THE  
ADJUTANT-GENERAL.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Adjutant-General.** Amend section 21 of chapter 143 of the Revised Laws, as amended by section 1, chapter 175, Laws of 1949, by striking out the words "of brigadier-general" in the second line and inserting in place thereof the words, initially of brigadier-general but who after five years' service in that rank may be appointed to the rank of major-general, so that said section as amended shall read as follows: **21. Staff.** The staff of the commander-in-chief shall consist of the adjutant-general, with the rank initially of brigadier-general but who after five years' service in that rank may be appointed to the rank of major-general, who shall be chief of staff, and twelve aides-de-camp, four of whom shall be detailed from the national guard and four appointed from those who served in the United States air forces, army, navy, or marine corps, in any war. The remaining four may be appointed from officers or ex-officers of the United States air forces, army, navy, or marine corps, or of the national guard, or of the various officers' reserve corps, or from civil life.

**2. Period Extended.** Amend section 36 of chapter 143 of the Revised Laws by inserting after the word "years" in the third line the words, except the adjutant-general who shall hold office until he shall have reached the age of sixty-five years; and further amend said section by inserting after the word "unless" in the third line the words, such officers have been, so that said section as amended shall read as follows: **36. Service Period.** All officers, including staff officers, hereafter appointed under the provisions of this chapter shall hold their positions until they shall have reached the age of sixty-four years, except the adjutant-general who shall hold office until he shall have reached the age of sixty-five years, unless such officers have been retired prior to that time by reason of resignation or disability, or for cause to be determined by a court-martial legally convened for that purpose. Vacancies among staff officers, including officers of the pay, inspection,

subsistence and medical departments, shall be filled by appointment from the officers of the militia of the state.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

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## CHAPTER 104.

AN ACT APPROVING THE ACT OF THE GOVERNOR IN SIGNING THE  
INTERSTATE COMPACT FOR CIVIL DEFENSE.

*Whereas*, under the provisions of chapter 304 of the Laws of 1949 the governor, on behalf of the state, is authorized to enter into mutual aid arrangements with other states, and

*Whereas*, pursuant to the powers granted to him under the above mentioned statute the governor has entered into a mutual aid arrangement with other states, now therefore

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Approval.** The act of the governor in signing the Interstate Civil Defense Compact for and in behalf of the state of New Hampshire, said compact being deposited with the secretary of state for the state of New Hampshire and with the proper federal authorities, in accordance with the federal civil defense act, H. R. 9798 of the 81st Congress, is hereby approved and confirmed and said compact is lawful and binding upon this state to the extent expressed by its terms.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

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## CHAPTER 105.

AN ACT RELATIVE TO THE DUTIES OF THE DIRECTOR OF THE  
DIVISION OF EMPLOYMENT SECURITY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Duties of the Director of the Division of Employment Security,** Amend section 9, part 18 of chapter 5 of the Laws

of 1950, by striking out the whole of the same and inserting in place thereof the following: **9. Duties.** The director shall be the executive officer of the division of employment security and exercise full direction and general supervision thereof; the authority and power of the labor commissioner as provided in chapter 211 and chapter 218 of the Revised Laws, as amended, are hereby transferred to the director and he is hereby authorized to act in the name or stead of the labor commissioner in all matters pertaining thereto.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 11, 1951.]

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## CHAPTER 106.

### AN ACT RELATIVE TO INVESTMENT OF FUNDS RECEIVED FROM THE UNITED STATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Investment of Funds Received in Eminent Domain Proceedings.** Amend section 4-a of chapter 160 of the Laws of 1943 as inserted by section 1 of chapter 91 of the Laws of 1947, by inserting after the word "act" in the eleventh line the following words: Funds so received shall not be subject to restriction as to investments prescribed in section 7 and may be invested in the same manner as trust funds under section 23 of chapter 51 of the Revised Laws, so that said section as amended shall read as follows: **4-a. Funds Received in Eminent Domain Proceedings.** Any town, school district, village district or county which may receive funds from the United States or any agency thereof in eminent domain proceedings for the taking of its property or other public facilities or in settlement for such taking or of claims for damages to its property or other public facilities, may vote to use said funds, under a proper article in the warrant in the case of a town, school district or village district or by vote of the county delegation in the case of a county, to establish a capital reserve fund under this act. Funds so received shall not be subject to restriction as to investments prescribed in section 7 and may be invested in the same manner as trust funds under section 23



of chapter 51 of the Revised Laws. Funds so received may, if so voted, be used to retire existing indebtedness as well as for the purposes specified in section 1. In cases in which the United States or any agency thereof shall acquire a flowage easement in highways or bridges under the jurisdiction of a town, the town, if it votes to establish a capital reserve fund out of the funds received therefor from the United States or any agency thereof, may use such fund not only for capital improvements and capital expenditures as provided in section 1, but also for the maintenance, repair and reconstruction of the particular highways and bridges in which easements have been acquired or of such highways and bridges as may be provided in substitution therefor.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

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## CHAPTER 107.

### AN ACT PROVIDING FOR RECORDING OF INTERNAL REVENUE TAX LIENS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Liens.** Amend chapter 264 of the Revised Laws by adding after section 43 as inserted by chapter 97 of the Laws of 1945 the following new sections: **44. Liens on Real Estate for Internal Revenue Taxes.** Notice of liens on real estate for internal revenue taxes payable to the United States of America and certificates discharging such liens shall be filed in the office of the register of deeds of the county or counties within which the property subject to such lien is situated. The register of deeds shall keep a general index of all liens so filed showing the name and residence of the taxpayer named in such notice, the date and hour of filing. He shall file and keep all original notices so filed in numerical order in a file or files to be designated federal tax lien notices.

**45. Recording of Discharge.** When a certificate of discharge of any tax lien, issued by the collector of internal revenue or other proper officer, is filed in the office of the register of deeds, where the original notice of the lien is filed,

such register of deeds shall enter the same with the date of filing in said federal tax lien index on the line where the notice of the lien so discharged is entered, and permanently attach the original certificate of discharge to the original notice of the lien.

**46. Liens on Chattels for Internal Revenue Taxes.** Notice of liens on chattels for internal revenue taxes payable to the United States of America and certificates discharging such liens may be filed in the office of the clerk of the town in which the taxpayer resides, if the taxpayer resides in the state, or in the town in which the property is located if the taxpayer resides out of the state. The clerk shall keep a general index of all liens so filed showing the name and residence of the taxpayer named in such notice, the date and hour of filing. He shall file and keep all original notices so filed in numerical order in a file or files to be designated federal tax lien notices.

**47. Recording of Discharge.** When a certificate of discharge of any tax lien, issued by the collector of internal revenue or other proper officer, is filed in the office of the clerk where the original notice of the lien is filed, such clerk shall enter the same with the date of filing in said federal tax lien index on the line where the notice of the lien so discharged is entered, and permanently attach the original certificate of discharge to the original notice of the lien.

**48. Fees.** The register of deeds and clerk shall be entitled to a fee of one dollar fifty cents for the entry and recording of each of such notices of tax liens and fifty cents for the entry and recording of the discharge thereof.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

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## CHAPTER 108.

### AN ACT RELATIVE TO CONDUCT OF ELECTIONS IN TOWNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Towns.** Amend section 36 of chapter 34 of the Revised Laws as amended by section 1, chapter 186, Laws of 1947, by striking out said section and inserting in place thereof the

following: **36. Time Polls Open and Close.** At all biennial elections and primaries in towns the population of which is less than seven hundred according to the last federal census, the polls shall be open not less than five consecutive hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to do so, and until the voters present shall vote to close the polls, provided that upon written request signed by seven registered voters of the town and delivered on or before the Saturday previous to the biennial elections or primaries into the hands of the selectmen for biennial elections and to the town clerk for primaries the aforesaid polls shall be kept open until six o'clock in the evening; and provided further whenever in towns having less than one hundred population the names of those who have voted plus the absentee ballots received at the polls equals the number of all the names on the check-list, the meeting may vote to close the polls forthwith. In all other towns the polls shall be open not later than ten o'clock in the forenoon and shall be closed not earlier than six o'clock in the evening. In all towns the selectmen, in the warrants for the biennial elections, and the town clerk, in the notices for primaries, shall prescribe and post the hour the polls are to open and the hour before which the polls may not close as provided by this section. The meeting may vote to keep the polls open to a later hour but may not vote to close the polls at an earlier hour than that so prescribed by the selectmen or town clerk, except as otherwise herein provided.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 11, 1951.]

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## CHAPTER 109.

### AN ACT RELATIVE TO MANNER OF TAKING DEER IN CERTAIN TOWNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Wild Deer.** Amend section 4 of chapter 242 of the Revised Laws as amended by chapter 135 of the Laws of 1943, chapters 31 and 69 of the Laws of 1945, chapters 32, 46 and 101 of the Laws of 1947 and section 4-a as inserted by chapter

222 of the Laws of 1947 by striking out said sections and inserting in place thereof the following: **4. Shotguns.** Wild deer shall not be taken by the use of any firearm, other than a shotgun loaded with a single ball or loose buckshot, or bow and arrow, in the towns of the following counties as follows:

Belknap County: Laconia.

Hillsborough County: Amherst; Bedford; Brookline; Goffstown; Hollis; Hudson; Litchfield; Manchester; Merrimack; Milford; Nashua; Pelham.

Merrimack County: Concord; Hooksett—that part lying from the town line of Allenstown, on the westerly side of U. S. No. 3, to a point where the old Portsmouth Railroad crosses said highway, thence south of said Railroad to the town line of Candia; Pembroke—that part lying westerly of the following line: Starting at the Concord town line at Red Bridge on Sheep Davis road, south to Burrough road, thence easterly on Burrough road to Fourth Range road, thence southerly on Fourth Range road to N. H. Rt. 28, thence southwesterly on Rt. 28 to the Allenstown town line.

Rockingham County: Atkinson; Brentwood; Chester; Danville; Derry; East Kingston; Exeter; Fremont; Greenland; Hampstead; Hampton; Hampton Falls; Kensington; Kingston; Londonderry; New Castle; Newfields; Newington; Newmarket; Newton; North Hampton; Plaistow; Portsmouth; Rye; Salem; Sandown; Seabrook; South Hampton; Stratham; Windham.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 11, 1951.]

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## CHAPTER 110.

### AN ACT RELATING TO THE REGISTRATION FEE FOR PRIVATE NON-COMMERCIAL LANDING AREAS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Aeronautics.** Amend paragraph VI, section 29 of chapter 306 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: VI. For each private landing area, ten dollars, provided that if said area is

used exclusively for non-commercial purposes no fee shall be collected for registration certificate.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 111.

AN ACT RELATIVE TO THE TAXATION OF NATURAL GAS PIPE LINES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Electric Plants and Pipe Lines.** Amend section 9 of chapter 73 of the Revised Laws by adding after the word "transporting" in the fifth line of said section the words, natural gas, so that said section as amended shall read as follows: **9. Electric Plants and Pipe Lines.** Lands, dams, canals, water power, pipe lines, buildings, structures, machinery, dynamos, apparatus, poles, wires, fixtures of all kinds and descriptions owned, operated and employed by any one other than municipal corporation in generating, producing, supplying and distributing electric power or light, or in transporting natural gas, crude petroleum and refined petroleum products or combinations thereof, shall be taxed as real estate in the town in which said property or any part of it is situated.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 112.

AN ACT RELATING TO FINE AND IMPRISONMENT IN OFFENSES  
AGAINST THE POLICE OF TOWNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fine.** Amend section 21 of chapter 440 of the Revised Laws by striking out the word "ten" in the second line and inserting in place thereof the word, twenty-five, and by adding at the end thereof the words, or both, so that said section as

amended shall read as follows: **21. Penalty.** A person convicted of any offense mentioned in the preceding sections shall be fined not more than twenty-five dollars, or imprisoned not more than six months, or both.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 113.

### AN ACT REGULATING SCHOOL BUSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. School Buses.** Amend chapter 119 of the Revised Laws by inserting after section 19 the following new section: **19-a. Regulations.** The commissioner of motor vehicles shall prescribe and enforce all needful rules and regulations to govern the design and operation of all school busses used for the transportation of school children when owned and operated by any school district, publicly or privately owned, or operated while under contract in this state.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 114.

### AN ACT RELATIVE TO TOWN AND CITY HEALTH OFFICERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Payment of Expenses.** Amend chapter 59 of the Revised Laws by inserting after section 9 the following new section: **10. City and Town Health Officers Association.** Town and city health officers shall be entitled to receive the actual expenses incurred by them in attending the yearly meeting of the New Hampshire Health Officers Association, the

same to be audited by the selectmen of towns and the finance committee of cities respectively and paid out of the town or city treasury.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 115.

AN ACT RELATIVE TO A CERTAIN ROAD AND BRIDGE IN THE TOWN  
OF THORNTON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Secondary Highway System.** On and after the passage of this act the road and bridge over the Pemigewasset river in the town of Thornton connecting Route 3 with the road from Campton village to Woodstock shall, after it shall have been placed in good repair for presently established load limits by the department of public works and highways, be classified as Class V.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 15, 1951.]

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## CHAPTER 116.

AN ACT RELATIVE TO TAKING FISH FROM LAKES, PONDS AND  
RIVERS PARTLY IN ANOTHER STATE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Special Regulations.** Amend chapter 245 of the Revised Laws by inserting after section 32-a as inserted by chapter 69 of the Laws of 1949 the following new sections: **32-b. Fishing in Connecticut River.** If the laws of the state of Vermont permit fishing in that part of the Connecticut river lying within that state by persons licensed or otherwise entitled under the laws of this state, to fish in that part of said river lying within this state, persons licensed or otherwise entitled

under the laws of Vermont to fish in said part of the Connecticut river lying within the state of Vermont shall be permitted to fish in that part of the Connecticut river lying within this state. If the above reciprocal laws are in effect as to that part of the Connecticut river lying within the states of New Hampshire and Vermont the director is authorized to make special rules and regulations as to fishing therein, after consultation with the like officer of the state of Vermont, in the same manner and with the same effect as he is authorized to do with respect to boundary lakes under the provisions of section 32-a.

**32-c. Penalties.** Any person who violates any of the provisions of sections 32-a or 32-b or special rules and regulations made thereunder shall be fined not more than ten dollars and not more than five dollars for each fish taken or possessed in violation thereof.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 16, 1951.]

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## CHAPTER 117.

### AN ACT RELATIVE TO REIMBURSEMENT BY MUNICIPALITIES OF EXPENSE OF AUDIT BY STATE TAX COMMISSION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Municipalities.** Amend section 28 of chapter 82 of the Revised Laws by striking out said section and inserting in place thereof the following: **28. Expenses of Audit.** All expenses incurred in conducting an audit shall be paid in the first instance from the appropriation for the commission, but each county, city, town, school district, village district or precinct shall, upon notification by the commission of the amount due, reimburse it for such expenses as follows:

I. Each county and city shall make reimbursement for all such expenses including salaries of members of the division for such time as said members have spent in said audit.

II. Each town, school district, village district or precinct having an equalized valuation of one million five hundred thousand dollars or more, shall make reimbursement as provided in paragraph I.



III.\* Each town, school district, village district or precinct having an equalized valuation of less than one million five hundred thousand dollars shall make reimbursement for all expenses incurred in the audit including one-half of the salaries of members of the division for such time as said members have spent in said audit. Provided, however, that in special cases where reimbursement under paragraphs II and III would result in hardship or in case of unusual circumstances the commission is authorized to make such adjustment of said payments as it may deem to be for the best interests of the municipality concerned. Said reimbursements shall be credited to the appropriation for the commission.

2. **Takes Effect.** This act shall take effect upon its passage.  
[Approved May 17, 1951.]

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## CHAPTER 118.

### AN ACT RELATING TO DUTIES OF THE DIRECTOR OF ACCOUNTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Director of Accounts.** Amend subsection V of section 7 of chapter 23-A of the Revised Laws as inserted by section 1 of part 6 of chapter 5 of Laws of 1950 by striking out the last clause thereof, so that the subsection as amended shall read as follows: V. Recommend to the governor and council appropriate quarterly allotments, for each department or agency of the state, for the proper operation of the budget;

2. **Auditing.** Amend subsection VII of section 12 of chapter 23-A of the Revised Laws as inserted by section 1 of part 6 of chapter 5 of Laws of 1950, by striking out said subsection and inserting in place thereof the following: VII. Pre-audit all claims to be presented for the issuance of warrants and certify to the governor and council that such are just and proper claims against the state and within the appropriations provided by statute; before such certification for payment the director of accounts shall require documentary evidence of the debt in a form sufficient to show that the agency or individuals responsible for contracting the debt (a) had the authority for

so doing, (b) had knowledge of the amounts due, except that payments for payroll may be certified for one payroll period in advance, (c) possessed the authority for the approval of the invoice, and (d) in regard to payments for capital improvements had knowledge of the work actually completed;

3. **Warrants.** Amend subsection IX of section 12 of chapter 23-A of the Revised Laws as inserted by section 1 of part 6 of chapter 5 of Laws of 1950 by striking out said subsection and inserting in place thereof the following: IX. Prepare appropriate warrants, and schedules of pre-audited manifests supporting the same, for the consideration of and execution by the governor with the advice and consent of the council.

4. **Takes Effect.** This act shall take effect June 30, 1951.  
[Approved May 17, 1951.]

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## CHAPTER 119.

### AN ACT RELATIVE TO PROHIBITED EQUIPMENT WHILE HUNTING WILD BIRDS AND WILD ANIMALS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Prohibition.** Amend Revised Laws, chapter 242, section 6, as amended by Laws of 1947, chapter 161, by striking out in the twelfth line the word "game" and substituting the words, wild animals, and in line thirteen, after "22 cal." add, rimfire, so said section shall read as follows: 6. **Possession of Jacks, etc.** No person shall have in his possession any jack or artificial light, swivel, pivot or set gun while hunting wild birds or wild animals, including unprotected birds and wild animals on which a bounty may be paid. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation, including any vehicle in which the same is being transported. The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up wild animals by a person having in his possession a rifle larger than

a 22 cal. rimfire or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be sufficient evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 3, chapter 244.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 17, 1951.]

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## CHAPTER 120.

AN ACT RELATIVE TO EXAMINATIONS FOR PUBLIC ACCOUNTING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Public Accountancy.** Amend section 4 of chapter 320 of the Revised Laws by adding at the end thereof the words: Any person who meets the requirements for a certificate except the requirement for experience shall be entitled to be examined, so that said section as amended shall read as follows:

**4. Examinations.** All examinations shall be conducted by the board. The examinations shall take place as often as may be necessary in the opinion of the board but not less frequently than once each year. The time and place of holding examinations shall be designated by the board. A candidate who shall have passed a satisfactory examination in all but one of the subjects given by the board for examinations may be re-examined in that subject only, at subsequent examinations held by the board, and if he passes in that subject, he shall be considered to have passed the examination. Nothing herein shall be construed as prohibiting the re-examination in all subjects of a candidate who has failed in a prior examination. Any person who meets the requirements for a certificate except the requirement for experience shall be entitled to be examined.

**2. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved May 17, 1951.]

**CHAPTER 121.****AN ACT RELATIVE TO MILITARY LEAVE FOR STATE AND  
MUNICIPAL EMPLOYEES.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Employees.** Amend section 20-a of chapter 27 of the Revised Laws, as inserted by chapter 109 of the Laws of 1947, by striking out said section and inserting in place thereof the following: **20-a. Military Leave.** Any regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state, shall, upon request, be entitled to not more than fifteen consecutive calendar days leave of absence with pay in any one twelve months' period, for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority.

**2. Municipal Employees.** Amend chapter 27 of the Revised Laws by inserting after section 20-a the following new sections: **21. Military Leave.** All political subdivisions of the state are hereby empowered and authorized to grant an annual military leave, with or without pay or with partial pay, to employees of such political subdivisions, in conformity with the provisions of section 20-a.

**22. Duties of Adjutant General.** The adjutant general of the state of New Hampshire is hereby authorized and directed to encourage private employers, in the interests of national defense and the military security of this state, to grant military leave privileges to their employees comparable to the military leave privileges established and authorized for public employees by the provisions of sections 20-a and 21 of this chapter.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 24, 1951.]

## CHAPTER 122.

### AN ACT RELATIVE TO THE BONDING OF OFFICIALS OF THE UNIVERSITY OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. University Treasurer's Bond.** Amend section 10 of chapter 222 of the Revised Laws by adding at the end thereof the following words: The trustees shall in their discretion require a bond for any other persons employed by or administering the affairs of the University of New Hampshire. Said trustees shall determine the amount and sufficiency of the surety of said treasurer's bond or any other bonds required under this section, and the provisions of section 7 of part 24 of chapter 5 of the Laws of 1950 shall not apply to said bonds, so that said section as amended shall read as follows: **10. Secretary; Treasurer.** They shall choose a secretary, who shall be sworn and shall keep a record of their proceedings, and a treasurer, who shall give a bond satisfactory to the trustees for the faithful discharge of his duties. The treasurer shall receive such compensation as the trustees may determine. The trustees shall in their discretion require a bond for any other persons employed by or administering the affairs of the University of New Hampshire. Said trustees shall determine the amount and sufficiency of the surety of said treasurer's bond or any other bonds required under this section, and the provisions of section 7 of part 24 of chapter 5 of the Laws of 1950 shall not apply to said bonds.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 24, 1951.]

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## CHAPTER 123.

### AN ACT TO REGULATE THE PRACTICES OF PROFESSIONAL ENGINEERING.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Professional Engineering.** Amend chapter 170 of the Laws of 1945 by renumbering section 1 to read 1-a and by inserting a new section 1 as follows: **1. General Provisions.**

In order to safeguard life, health and property and to promote the public welfare, any person in either public or private capacity practicing or offering to practice professional engineering shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as herein-after provided; and it shall be unlawful for any person to practice or to offer to practice in this state professional engineering as defined in the provisions of this act or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered under the provisions of this act.

2. **Application Fee.** Amend section 17 of chapter 170 of the Laws of 1945 by adding at the end thereof the following words: Should the board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall be retained as an application fee, so that said section as amended shall read as follows: **17. Applications and Registration Fees.** Applications for registration shall be on forms prescribed and furnished by the board, shall contain statements made under oath, showing the applicant's education and detail summary of his technical work, and shall contain not less than five references, of whom three or more shall be engineers having personal knowledge of his engineering experience. The registration fee for professional engineers shall be twenty-five dollars, fifteen dollars of which shall accompany application, the remaining ten dollars to be paid upon issuance of certificate. Application to take the examination in fundamental engineering subjects prior to completion of the requisite years of experience in engineering work shall be accompanied by a fee of seven dollars and fifty cents. This amount shall be credited against the total fee required for registration as a professional engineer. When a certificate of qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for registration as professional engineer shall be ten dollars. Should the board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall be retained as an application fee.

3. **Fees.** Amend section 20 of chapter 170 of the Laws of 1945 by striking out the words "one dollar" in the tenth line

and inserting in place thereof the words, two dollars, so that said section as amended shall read as follows: **20. Expirations and Renewals.** Certificates of registration shall expire each year on June thirtieth and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of July by the payment of a fee of two dollars. The failure on the part of any registrant to renew his certificate annually in the month of July as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of July shall be increased ten per cent for each month or fraction of a month that payment renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

**4. Violations.** Amend section 27 of said chapter 170 by striking out said section and inserting in place thereof the following: **27. Violations and Penalties.** Any person who shall practice or offer to practice professional engineering in this state under the title of professional engineer without being registered in accordance with the provisions of this act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars.

**5. Application of Act.** Amend chapter 170 of the Laws of 1945 by inserting after section 27 the following new section: **27-a. Exemptions.** This act shall not be construed to prevent or to affect: I. The practice of any other recognized profession or trade; or

II. The practice of a person not a resident of and having no established place of business in this state, practicing or offering to practice herein the profession of engineering, when such practice does not exceed in the aggregate more than thirty days in any calendar year; provided such person is legally qualified by registration to practice the said profession in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this act;

III. The practice of a person not a resident of and having no established place of business in this state, or who has recently become a resident thereof, practicing or offering to practice professional engineering herein for more than thirty days in any calendar year, if he shall have filed with the board an application for a certificate of registration and shall have paid the fee required by this act; provided that such a person is legally qualified by registration to practice professional engineering in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this act. Such practice shall continue only for such time as the board requires for the consideration of the application for registration; or

IV. The work of an employee or a subordinate of a person holding a certificate of registration under this act, or an employee of a person practicing lawfully under paragraphs II or III of this section; provided such work does not include final designs or decisions and is done under the direct responsibility, checking, and supervision of a person holding a certificate of registration under this act or a person practicing lawfully under paragraphs II or III of this section; or

V. The practice of officers and employees of the government of the United States while engaged within this state in the practice of professional engineering, for said government; or

VI. The practice of professional engineering, solely as an officer or an employee of a corporation engaged in interstate commerce; or

VII. The practice of architecture by a duly registered architect, and the doing of such engineering work as is incidental to his architectural work; or



VIII. The practice of professional engineering by any person or by any employee of any copartnership, association or corporation, upon property owned by such person or such copartnership, association or corporation unless such practice affects the public welfare, or the safeguarding of life or health or the property of some other person.

**6. Act Made Mandatory.** The provisions of section 29 of chapter 170 of the Laws of 1945 which refer to the chapter as being permissive only are hereby repealed.

**7. Takes Effect.** This act shall take effect as of January 1, 1952.

[Approved May 24, 1951.]

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## CHAPTER 124.

### AN ACT RELATING TO PAYMENT OF WAGES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Payment of Wages.** Amend section 14 of chapter 212 of the Revised Laws by striking out all of said section and inserting in place thereof the following: **14. Weekly.** Every person, firm or corporation engaged in the operation of a manufacturing, mechanical or mercantile establishment, hotels and restaurants, or in mining, quarrying, stonecutting or granite cutting, or in cutting, harvesting and driving pulpwood and timber, or in a railroad, telegraph, telephone, express or aqueduct business, or in the erection, alteration, repair, or removal of any building or structure or in the construction or repair of any railroad, road, bridge, sewer, gas, water, or electric light works, pipes, or lines and every municipal corporation, shall pay the wages earned each week by employees who work by the day or week, within eight days, including Sunday, after the expiration of the week. Every such person, firm or corporation shall keep conspicuously posted in the office of the establishment or enterprise a notice on a form provided by the commissioner of labor that wages will be so paid.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

## CHAPTER 125.

AN ACT FORBIDDING EMPLOYERS TO CHARGE INDIVIDUALS A FEE  
FOR A MEDICAL EXAMINATION, AS A CONDITION OF  
EMPLOYMENT SUBJECT TO CERTAIN  
RESTRICTIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Prohibition.** It shall be unlawful for any employer, as defined in section 2, to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records required by the employer as a condition of employment.

**2. Definitions.** I. The term "employer" as used in this act shall mean and include an individual, a partnership, an association, a corporation, a legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air or express company doing business in or operating within the state.

II. The term "employee" shall mean and include every person who may be permitted, required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment.

**3. Penalty.** Any employer who violates the provisions hereof shall be fined not more than one hundred dollars for each and every violation. It shall be the duty of the commissioner of labor to enforce the provisions hereof.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

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## CHAPTER 126.

AN ACT RELATING TO POWERS OF THE HIGHWAY COMMISSIONER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Powers of Highway Commissioner.** Amend section 7 of part 10 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945, by striking out said section and

inserting in place thereof the following: **7. Powers.** The highway commissioner shall exercise general supervision, control and direction, on behalf of the state, over all matters pertaining to the location, route, alteration, construction, reconstruction, maintenance and discontinuance of highways constructed or maintained wholly or in part by money appropriated from the state treasury, including (a) the method and type of construction and kind and quality of materials to be used; (b) the manner in which such highways shall be maintained; (c) the designation of certain portions of such highways for one-way traffic, upon which vehicles shall proceed in one direction only; (d) the designation of certain portions of such highways from which trucks in excess of a gross weight of twelve thousand pounds shall be excluded, provided, that no such designation shall prevent business operations in connection with stores, factories or any other business or industrial establishments, enterprises or warehouses along said highways; (e) the purchase, planting and maintenance of trees and shrubs for shade, landscaping or prevention of soil erosion; and (f) the location, construction and maintenance of roadside parks.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 29, 1951.]

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## CHAPTER 127.

### AN ACT RELATIVE TO AGE REQUIREMENTS FOR THE PRACTICE OF NURSING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. The Practice of Nursing.** Amend section 6 of chapter 257 of the Revised Laws as inserted by chapter 285 of the Laws of 1947, by striking out the word "twenty-one" in the second line and inserting in place thereof, twenty, so that said section as amended shall read as follows: **6. Registration.** Any person of good moral character over twenty years of age who is a citizen of the United States or who has legally declared his intention of becoming one or who is a citizen of a Canadian province, who holds a diploma from a state

accredited school of nursing giving a course of at least three years or its equivalent in a university or college of nursing, affiliated with an institution or institutions approved by the board of nurse examiners as maintaining in this and other respects adequate standards, all of which shall be determined by the said board, and who shall have received from the board a certificate of qualification to practice as a registered nurse, shall be styled and known as a registered nurse and no other person shall assume such title or use the abbreviation R. N. or any other words, letters, or figures to indicate that the person using the same is a registered nurse.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 29, 1951.]

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## CHAPTER 128.

### AN ACT RELATIVE TO ALLEGATIONS IN DIVORCE PROCEEDINGS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Divorce.** Amend section 34 of chapter 339 of the Revised Laws, as inserted by chapter 145, Laws of 1949, by striking out after the words "accused of" the word "misconduct" and inserting in place thereof the word, adultery; further amend the section by striking out after the words "been convicted of" the words "such misconduct" and inserting in place thereof the word, adultery; so that said section as amended shall read as follows: **34. Third Parties.** Any person not a party to the proceedings who is accused of adultery with the libelee in a libel or cross libel for divorce or petition or cross petition for legal separation shall be duly served seasonably with an attested copy of such libel or petition with the usual order of notice thereon. Such service shall not be required when it appears that said third party resides outside the state nor when said third party has been convicted of adultery with the libelee as charged in said libel or petition. Such third party, wherever he may reside, shall have the right to appear and be heard in said proceedings.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 29, 1951.]

**CHAPTER 129.****AN ACT RELATIVE TO CLERK HIRE IN THE OFFICE OF THE  
HILLSBOROUGH COUNTY SHERIFF.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hillsborough County Sheriff's Office.** Amend section 28-a of chapter 380 of the Revised Laws as inserted by chapter 118 of the Laws of 1945 and as amended by section 1, chapter 171, Laws of 1947, by striking out said section and inserting in place thereof the following: **28-a. Clerk Hire.** The sheriff of Hillsborough county shall employ such clerk hire as he deems necessary. The salaries of said clerk or clerks shall be paid by the county, provided, however, that the amount of salaries so paid shall not exceed the amount appropriated by the county delegation for said clerk hire.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

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**CHAPTER 130.****AN ACT RELATIVE TO ISSUANCE OF FISH AND GAME LICENSES TO  
BLIND PERSONS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fishing and Hunting Licenses.** Amend section 2 of chapter 247 of the Revised Laws, as amended by chapter 163, Laws of 1947, by striking out the words "and to blind persons" in the eighth line and inserting in place thereof the words: Fishing licenses may be issued, without charge, to resident blind persons but no hunting licenses shall be issued to blind persons, so that said section as amended shall read as follows:

**2. Exceptions.** The provisions of the foregoing section shall not apply to resident owners of farm lands and their minor children while upon their own land, to persons fishing in ponds operated and maintained by a duly licensed fish or game breeder, to children under sixteen years of age while fishing,

to resident children under sixteen years of age while hunting when accompanied by a licensee twenty-one years of age or over. Fishing licenses may be issued, without charge, to resident blind persons but no hunting licenses shall be issued to blind persons.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

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## CHAPTER 131.

### AN ACT RELATIVE TO POSSESSION OF WILD DEER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Wild Deer.** Amend section 7 of chapter 242 of the Revised Laws, as amended by chapter 143, Laws of 1943, by striking out said section and inserting in place thereof the following: **7. Possession.** Wild deer, or any part of the carcass thereof, lawfully taken may be possessed until February first next following the date when taken, and not otherwise except as provided herein for frozen meat and as otherwise permitted by the director. Any part of the carcass of wild deer solidly frozen may be possessed during the closed season on deer in a freezer locker. Possession of wild deer or any part of the carcass thereof otherwise than as permitted in this section or by special permission of the director shall be *prima facie* evidence that the same was unlawfully taken. A person may bring into and possess in this state deer lawfully taken in another state, provided such person shall obtain from the director within ten days after bringing such deer into this state a permit to possess such deer.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

## CHAPTER 132.

## AN ACT RELATIVE TO SERVICE EXEMPTIONS FOR VETERANS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Korean Conflict.** Amend section 29, chapter 73 of the Revised Laws, as amended by chapter 174, Laws of 1943, by chapter 4, Laws of 1944, by chapter 240, Laws of 1947, and by section 1, chapter 167, Laws of 1949, by striking out said section and inserting in place thereof the following: **29. Service Exemption.** Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II or Korean Conflict, as hereinafter defined, who have been discharged or separated therefrom under conditions other than dishonorable, or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her taxable property as assessed by the selectmen, to the value of one thousand dollars, provided such person and spouse do not own taxable property in this state, exclusive of *bona fide* encumbrances of record thereon, to the value of more than five thousand dollars. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918, shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and the cessation of hostilities.

**2. Takes Effect.** This act shall take effect as of April 1, 1951.

[Approved May 29, 1951.]

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## CHAPTER 133.

### AN ACT RELATING TO MEMBERSHIP OF COMMITTEE TO MAKE RULES AND FORMS OF THE PROBATE COURTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Probate Forms.** Amend section 11 of chapter 347 of the Revised Laws by striking out the word "three" in the second line and inserting in its place the word, two; further amend the section by striking out the word "two" in the third line and inserting in its place the word, one, so that said section as amended shall read as follows: **11. Revision, etc.** Upon the request in writing of a majority of the judges, the governor shall appoint a committee consisting of two judges and one register of probate to revise or add to said blanks and rules.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

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## CHAPTER 134.

### AN ACT ABOLISHING TRIAL JUSTICE COURTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Repeal.** Sections 5 and 6 of chapter 377 of the Revised Laws providing for the appointment of trial justices and defining their jurisdiction, are hereby repealed.



**2. Pending Actions, Records.** Any cause or proceeding now pending before a trial justice may be transferred to any municipal court having jurisdiction thereof to be heard and tried as if originally commenced therein. Any criminal cause shall be transferred forthwith and any civil action within twenty days, otherwise such cause or action shall abate. All records of the trial justices shall be filed with the secretary of state.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 29, 1951.]

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## CHAPTER 135.

### AN ACT RELATIVE TO TOWN MANAGER PLAN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Method of Revocation of Plan.** Amend section 15 of chapter 55 of the Revised Laws, as inserted by chapter 20, Laws of 1947 by striking out the last sentence of said section and inserting in place thereof the following: In voting on the question of revoking the provisions of this chapter in any town, village district or precinct pursuant to section 13 hereof, the balloting procedure prescribed by this section shall govern, except that the question appearing on the printed ballot shall be substantially as follows: "Do you favor the continuation of the town manager plan as now in force in this town?" If a majority of the voters present and voting in a town, village district or precinct on this question signifies disapproval of this question the town manager plan will be deemed to be revoked therein, so that said section as amended shall read as follows:

**15. Ballot Vote.** Whenever an article has been inserted in the warrant for the annual meeting of any town, village district or precinct, calling for consideration of the question of adopting the provisions of this chapter, the clerk shall cause to be prepared in advance of such meeting a printed ballot containing a question substantially as follows: "Do you favor adoption of the town manager plan as provided in chapter 55, Revised Laws?" followed by the words "Yes" and "No" with boxes after each, in which the voter may mark his choice.

Such ballot shall be used at all meetings voting on such question pursuant to sections 11 and 14 hereof. The polls shall remain open for at least three hours at any meeting balloting on such question. In voting on the question of revoking the provisions of this chapter in any town, village district or precinct pursuant to section 13 hereof, the balloting procedure prescribed by this section shall govern, except that the question appearing on the printed ballot shall be substantially as follows: "Do you favor the continuation of the town manager plan as now in force in this town?" If a majority of the voters present and voting in a town, village district or precinct on this question signifies disapproval of this question the town manager plan will be deemed to be revoked therein.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 29, 1951.]

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## CHAPTER 136.

### AN ACT RELATIVE TO PAROLE OF PRISONERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Parole of Prisoners.** Amend section 36 of chapter 429 of the Revised Laws by striking out said section and inserting in place thereof the following: **36. Effect of Recommitment.** A prisoner so recommitted may, at any time before the expiration of the remainder of his maximum sentence, be again paroled upon such terms and conditions as the parole board shall prescribe. If not so paroled, a prisoner so recommitted shall serve the remainder of his maximum sentence, and in computing the period of his confinement the time between his release upon permit and the revocation of his permit for parole shall not be considered as any part of the term, except that the time between the return of the parolee to prison after his arrest and revocation of the permit shall be considered as a part of the time which the parolee is to serve for violation of parole.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved May 29, 1951.]

## CHAPTER 137.

## AN ACT RELATING TO AUCTIONS OF JEWELRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Auctions.** Amend section 1, chapter 173, Revised Laws, by striking out said section and inserting in place thereof the following: 1. **License.** No person shall conduct or maintain an establishment where any gold, silver or plated ware, stones, precious or otherwise, watches, jewelry, or any articles or goods represented as such, are sold at auction unless licensed to conduct or maintain the same by the mayor of the city or the selectmen of the town in which such establishment is located. Every application for license shall be sworn to by the applicant, shall contain the name and place of residence of the applicant, a description of the premises whereon the applicant intends to conduct or maintain such an establishment, the name of the owner of said premises, and a description of the class or classes of articles or goods intended to be sold. The license shall express and be subject to such conditions as are hereinafter set forth, and such additional reasonable conditions as the licensing authority may prescribe. No licensee hereunder shall conduct or maintain such an establishment in any place other than that set forth in the license. Every license shall expire on the thirtieth day after the date of its issuance and the fee for each such license shall be fifty dollars, which shall accompany the application, the fee being set at such amount to cover the cost of investigation, enforcement and police work under this chapter. No class of goods other than those described in the application for license may be sold by authority of such license.

2. **Conditions.** Further amend said chapter 173, Revised Laws, by inserting after section 2 thereof the following new section: 2-a. **Conditions.** Each license shall be subject to the following conditions:

I. Such auctions shall be conducted exclusively between the hours of 11:00 a. m. and 9:00 p. m., excepting Sundays and holidays on which days no auctions shall be conducted.

II. On or before 10:00 a. m. on the day preceding any day on which an auction is to be conducted, the licensee shall

post in a conspicuous place at or near the entrance to the premises an itemized list of the merchandise to be sold on that day, and no merchandise shall be sold at auction on that day which is not contained on such list when first posted. The list shall itemize each article to be sold, numbering each such item in numerical order, describing each item by its true name, brand name, name of manufacturer, name of wholesale vendor or jobber from whom purchased, and the number of carats or jewels in the same, or weight and quality of same, or kind, quality and degree of purity of metal of same, where applicable. Imitations, rebuilt goods, second-hand goods or goods having second-hand parts shall be plainly stated as such on said list. A copy of such list shall also be delivered by the licensee on or before 10:00 a. m. on each such preceding day to the office of the tax assessors in the case of a city or to the abode of one of the selectmen in the case of a town. Both copies of said list shall be verified as true under oath by the licensee.

III. In any case in which the licensee has purchased for auction hereunder the stock of a retail merchant doing or formerly doing business in the city or town, the list required in paragraph II above shall also indicate whether each item of merchandise to be sold came from the stock of such merchant or was imported from outside the city or town, and if the latter, the place where procured by the licensee.

IV. No more than one auction under a single auctioneer shall be conducted on the licensed premises at any one time. In conducting the auction, the auctioneer shall proceed in numerical order down the list required in paragraph II above, offering each article for sale in the order set forth on such list.

V. No licensee shall engage or employ "shills," "cappers" or artificial bidders to force up the level of prices bid.

VI. If any merchandise to be sold at auction is not the sole property of the licensee, the auctioneer shall publicly announce the name and address of the true owner or part owner thereof before offering the same for sale.

VII. All auction sales conducted hereunder shall be subject to inspection by any police officer or duly authorized agent of the licensing authority to determine whether the provisions of law and the conditions of this license are being complied with. Any such agent or officer, upon complaint or reasonable suspicion of violation, may temporarily interrupt any such

auction sale for the purpose of making such an inspection, where such interruption is reasonably necessary to ascertain compliance with the law and the conditions hereof.

VIII. Such other reasonable conditions, not inconsistent herewith, as the licensing authority may prescribe in the license.

3. **Bond.** Further amend said chapter 173, Revised Laws, by inserting after section 3 thereof the following new section:

3-a. **Bond Required.** No license shall be issued hereunder until the applicant shall have executed and filed with the licensing authority a good and sufficient bond in the sum of two thousand dollars with the surety thereon a surety company authorized to do business in the state of New Hampshire, which bond shall be conditioned upon faithful observance of all of the provisions of this chapter and of all the conditions of said license, and shall also indemnify any purchaser at any auction held pursuant to said license who suffers any loss caused by misrepresentations in said sale or violations of the provisions of this chapter or the conditions of said license; provided however, that the aggregate liability of the surety to all such purchasers shall in no event exceed the penal sum of said bond. Said bond shall be stated on its face to continue in effect until the expiration of the statute of limitations on all claims secured by said bond. Any purchaser claiming to have been damaged for the foregoing reasons may maintain an action at law against said licensee and may join as party defendant the surety on said bond.

4. **Taxes.** Further amend said chapter 173, Revised Laws, by inserting after section 4 thereof the following new section:

4-a. **Security for Payment of.** The licensing authority may before the issuance of any license hereunder require the licensee to make a cash deposit with it in such reasonable sum as it may determine to be necessary to secure the payment of any tax which may be levied against the licensee by the assessors of said city or town in which said auction is conducted, or by the state of New Hampshire. If any such tax shall be paid by the licensee within thirty days after the tax collector or state authority has mailed notice of said tax, then said deposit shall be refunded by the licensing authority to the licensee. If such tax shall not be paid within said period, then the licensing authority without further notice may pay all or

such portion of said cash deposit as may be necessary to the tax collector to satisfy said tax, refunding to the licensee any balance then due him.

**5. Application of Chapter.** Amend section 5 of chapter 173, Revised Laws, by striking out said section and inserting in place thereof the following: **5. Exemption.** This chapter shall not apply to sales made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, mortgagees, assignees for the benefit of creditors, or by any person required by operation of law to sell personal property. This chapter shall not apply to any sales of antiques nor shall it apply to any sales of used goods which are not, at the time of sale or immediately prior thereto, part of the stock in trade of a retailer, wholesaler, or distributor of the class or classes of goods described in section 1.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 31, 1951.]

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## CHAPTER 138.

### AN ACT RELATIVE TO SUPPLIES FOR DISCHARGED PRISONERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Prison.** Amend section 17 of chapter 464 of the Revised Laws by striking out the word "ten" in the fourth line and inserting in place thereof the word, twenty, so that said section as amended shall read as follows: **17. Supplies for Discharged Prisoners.** The warden may furnish, at the expense of the state, to each convict discharged from the prison, a suit of clothes, decent and suitable for the season in which he is discharged, and a sum of money not more than twenty dollars.

**2. Takes Effect.** This act shall take effect on July 1, 1951.  
[Approved June 6, 1951.]

## CHAPTER 139.

## AN ACT RELATING TO PUBLIC WELFARE DEPARTMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Supervision and Licensing.** Amend paragraph IV of section 6 of chapter 126 of the Revised Laws by striking out the same and inserting in place thereof the following: IV. Supervision and Licensing. Supervise and license all private institutions and private boarding homes providing assistance, care, or other direct services to children who are neglected, delinquent, defective, or dependent as well as to the aged, blind, feeble-minded, and other dependent persons, provided that it shall not license such institutions and homes as are required by statute to be licensed by the state board of health. In the case of institutions and homes licensed by the state board of health wherein are persons receiving assistance through the department of public welfare, the state board of health shall, upon request, make available to the department of public welfare such pertinent information as may be necessary to enable the latter department to ascertain the condition and operation of such institutions and homes for persons receiving assistance from it.

**2. Examination by Optometrists.** Amend paragraph V of section 6 of chapter 126 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: V. Blind. Develop or cooperate with other agencies in providing services to the blind, including the locating of blind persons, medical service for eye conditions, vocational guidance and training of the blind, placement of blind persons in employment, instruction of the adult blind in their homes, other services to blind persons, and a program for the prevention of blindness. In connection with assistance to needy blind persons the department shall give due consideration to the special needs associated with the condition of blindness and shall: (a) Promulgate rules and regulations stating in terms of ophthalmic measurements the amount of visual acuity which an applicant may have and be eligible for assistance and providing for an examination by an ophthalmologist or physician skilled in diseases of the eye or by an optometrist, whichever the individual may select, in making the determi-

nation whether the individual is eligible and fixing the fee for such examination; (b) establish the procedure for securing competent medical examination; (c) designate or approve a suitable number of ophthalmologists or physicians skilled in diseases of the eye, and optometrists, who must be duly licensed or registered under the laws of this state and actively engaged in the practice of their professions, to examine applicants and recipients of aid to determine their eligibility for assistance; (d) fix the fees to be paid for medical examination from funds available to the department.

**3. Reciprocal Agreements.** Amend paragraph X of section 6 of chapter 126 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: **X. Reciprocal Agreements.** Have authority to enter into reciprocal agreements with public welfare agencies in other states to grant assistance to persons removing from such other states to this state, and otherwise eligible for assistance in this state except for the residence requirement.

**4. Repeal.** Paragraph XII of section 6 of chapter 126 of the Revised Laws, providing for school lunch program is hereby repealed.

**5. Relatives.** Amend section 9 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **9. Liability for Support; Recovery.** Assistance rendered under this chapter to anyone having a father, mother, stepfather, stepmother, son, daughter, husband or wife, whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an appropriate proceeding in the superior court brought by the commissioner in the name of the state, from either a father, mother, stepfather, stepmother, son, daughter, husband, or wife, who are declared jointly and severally liable for such assistance. Such action shall be brought by the attorney-general or the solicitor for the county in which any such relative resides when so requested by the commissioner. The words "stepfather" or "stepmother" as used herein shall only apply to a person who has assumed the relation of a parent to his minor stepchild.

**6. Authority of Commissioner.** Amend chapter 126 of the Revised Laws by inserting after section 9 as hereinbefore amended the following new section: **9-a. Compelling Support.**



Upon the request of the commissioner any such father, mother, stepfather, stepmother, son, daughter, husband or wife shall provide the support of the person assisted under this chapter, or contribute thereto. Should such relative refuse to comply with such request, the commissioner may bring an appropriate proceeding in the superior court in the name of the state to compel such support or contribution thereto. If upon hearing it shall appear that such relative is able to provide the support of such person or to contribute thereto, the court shall enter an order accordingly and shall fix the amount and method and manner of payment. Failure to comply with any such order shall be deemed contempt of court and punished accordingly. Such proceedings shall be brought by the attorney-general or the solicitor for the county in which any such relative resides when so requested by the commissioner.

**7. Eligibility for Assistance.** Amend section 10 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Eligibility for Assistance.** Public assistance shall be granted under this chapter to any eligible person as defined in section 12 who has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health, except that:

I. In the determination of sufficiency of income in the administration of aid to the needy blind the first fifty dollars of earned income each month shall be disregarded. This paragraph shall not take effect until July 1, 1952.

II. Public assistance shall not be granted to anyone who has made an assignment or transfer of property for the purpose of rendering himself eligible for such assistance within five years immediately preceding his application for such assistance.

III. Public assistance shall not be granted to anyone who is an inmate of a public institution other than a patient in a public medical institution.

IV. Public assistance shall not be granted to anyone who is a patient in an institution for tuberculosis or mental diseases.

V. Public assistance shall not be granted to anyone who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof.

VI. An inmate of an institution otherwise eligible for assistance under the provisions of this chapter may make application for assistance but the assistance shall not begin until after he ceases to be an inmate.

8. **Estates.** Amend section 32 of chapter 126 of the Revised Laws as amended by section 1, chapter 173, Laws of 1949, by inserting after the word "any" in the sixth line the words, and until enforced as provided herein, so that said section as amended shall read as follows: **32. Claims and Liens.** The estate of every recipient, and the estate of his or her spouse, residing with said recipient, if any, owned severally or as joint tenants, shall be holden for all assistance granted to the recipient. All such liens shall continue during the lifetime of the recipient and of the spouse of the recipient, if any, and until enforced as provided herein, unless sooner released by the commissioner. Within thirty days after the first grant of assistance to a recipient, the commissioner shall file with the register of deeds of the county in which the recipient, or the spouse of the recipient, if any, owns real property and with the town clerk of the town in which the recipient and the spouse of the recipient, if any, resides, notice of the lien, together with the name of the recipient, and the spouse of the recipient, if any. The register of deeds and town clerk shall keep a suitable record of such notices without charging any fee therefor and enter thereon an acknowledgment of satisfaction upon written request from the commissioner.

9. **Foreclosure of Liens.** Amend chapter 126 of the Revised Laws by inserting after section 32-b, as inserted by section 1, chapter 173, Laws of 1949, the following new section: **32-c. Enforcement.** Liens arising under the provisions of this chapter may be enforced by a bill in equity.

10. **Takes Effect.** Except as otherwise provided herein, this act shall take effect upon its passage.

[Approved June 6, 1951.]

## CHAPTER 140.

## AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Definition of "Commissioner."** Amend subsection E, section 1 of chapter 218 of the Revised Laws, by striking out the whole of said subsection and inserting in place thereof the following: E. "Commissioner" means the commissioner of labor or such other person as may be authorized by law to act in the name or stead of the labor commissioner in all matters pertaining to this chapter.

2. **Wages.** Amend subparagraph (a), paragraph (1), subsection P, section 1 of said chapter 218, as amended by section 6, chapter 59 of the Laws of 1947, by striking out the whole of the same and inserting in place thereof the following: (a) For the purposes of section 6 of this chapter, that part of remuneration which, after remuneration equal to three thousand dollars has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment occurring during such calendar year and after December 31, 1940 and prior to January 1, 1947; or that part of the remuneration which, after remuneration equal to three thousand dollars with respect to employment has been paid to an individual by an employer during any calendar year after 1946, is paid to such individual by such employer during such calendar year; providing, that if the definition of the term "wages" as contained in the Federal Unemployment Tax Act is amended to include remuneration in excess of three thousand dollars paid to an individual by an employer under the federal act during any calendar year, "wages" for the purposes of section 6 of this chapter shall include remuneration paid in a calendar year to an individual by an employer subject to this chapter or his predecessor with respect to employment during any calendar year up to an amount equal to the dollar limitation specified in the Federal Unemployment Tax Act. For the purposes of this subsection, the term "employment" shall include service constituting employment under any employment security law of another state or of the federal government.

3. **Repeal.** Subsection D, section 2 of said chapter 218, as amended by section 9, chapter 59 of the Laws of 1947, relative to the transition from one benefit year to the next benefit year, is hereby repealed.

4. **Holiday Pay.** Amend section 2 of said chapter 218 by inserting at the end thereof the following new subsection: D. Holiday Pay. The benefits to which an individual would otherwise be entitled under this chapter shall not be reduced by reason of the fact that such individual received holiday pay, so-called, in or with respect to any week of his total or partial unemployment.

5. **Benefits to Persons upon Termination of Service in Military or Naval Forces of the United States.** Amend section 2 of said chapter 218 by inserting after subsection D, hereinabove described, the following new subsection E: E. Benefits to Persons upon Termination of Service in Military or Naval Forces of the United States. (1) An individual who has served in the military or naval forces of the United States, or any of its allies or of the United Nations, after July 1, 1950, and has been discharged or separated therefrom under conditions other than dishonorable, shall, if he is otherwise and in all other respects eligible in accordance with the provisions of section 3 of this chapter and files, in accordance with such regulations as the commissioner shall prescribe, a claim for benefits with respect to a week of unemployment beginning not later than July 1, 1955, be entitled to receive whichever is the greater of:

(a) The unused benefits based on his earnings in the calendar year immediately preceding his first day of such service in said forces, or

(b) The unused benefits based on earnings in the calendar year of his first day of such service in said forces, provided that benefits based on earnings in such calendar year are and have been available to all claimants generally under this chapter, or

(c) Benefits based on earnings in the base period for the benefit year in which the first claim was filed.

(2) If such an individual has not exhausted the benefits to which he is thus entitled at the close of a benefit year in which he first files a claim hereunder he shall, if otherwise

eligible as hereinbefore provided, be entitled to receive in the next benefit year whichever is the greater of:

(a) The balance of the unused benefits to which he was entitled under (1) (a), (1) (b) or (1) (c) above, or

(b) Benefits based on earnings in the base period for that benefit year.

(3) The term "military or naval forces" as used in this subsection shall be construed to include service in the marine corps, coast guard or any woman's auxiliary service to the armed forces the members of which are subject to and under military law.

(4) Benefits paid under and by virtue of this subsection are intended to be in lieu of and not in addition to weekly benefit amounts provided in subsections A, B and C of section 2 of this chapter.

(5) It is further provided, however, that this subsection shall be ineffective as to any entitlement for benefits whatsoever if such benefits are based on earnings in any base period prior to the year 1946.

**6. Transition from One Benefit Year to the Next Benefit Year.** Amend section 2 of said chapter 218 by inserting after subsection E, hereinabove described, the following new subsection F: **F. Transition from One Benefit Year to the Next Benefit Year.** If any individual has received benefits for any week ending not earlier than seven days before the end of the benefit year, benefit payments shall not be interrupted and benefits shall be paid for the next succeeding week at the rate provided for in the benefit year in which the last day of the payable week is served, provided that the other requirements of this chapter are fulfilled.

**7. Eligibility Conditions in Cases of Certain Women.** Amend subsection C, section 3 of said chapter 218, as amended by section 3, chapter 56 of the Laws of 1943 and by section 10, chapter 59 of the Laws of 1947, by striking out the whole of the same and inserting in place thereof the following: **C.** He is able to work, and is available for work. Provided, however, that in the case of a pregnant woman she shall be deemed unavailable for work for a period not to exceed eight weeks prior to the expected date of childbirth as certified by a legally licensed physician, and for a further period not to exceed eight

weeks subsequent to childbirth, it being provided that such latter period of unavailability shall be sooner terminated if subsequent to said childbirth she earns in any one week wages in employment equal to or in excess of three dollars more than her weekly benefit amount;

**8. Appeal Tribunals.** Amend subsection D, section 5 of said chapter 218, as amended by section 10, chapter 185 of the Laws of 1949, by striking out the word "ten" and inserting in place thereof the word, fifteen, so that said subsection as amended shall read as follows: D. Appeal Tribunals. To hear and decide disputed claims, the commissioner shall appoint one or more impartial appeal tribunals consisting in each case of either a salaried examiner, or a body consisting of three members, one of whom shall be a salaried examiner, who shall serve as chairman, one of whom shall be a representative of employers and the other of whom shall be a representative of employees; each of the latter two members shall serve at the pleasure of the commissioner and be paid a fee of not more than fifteen dollars per day of active service on such tribunal plus necessary expenses. No person shall participate on behalf of the commissioner in any case in which he is an interested party. The commissioner may designate alternates to serve in the absence or disqualification of any member of an appeal tribunal. The chairman shall act alone in the absence or disqualification of any other member and his alternates. In no case shall the hearings proceed unless the chairman of the appeal tribunal is present.

**9. Interstate Collections.** Amend section 11 of said chapter 218 by inserting at the end thereof the following new subsection K: K. Interstate Collections. The courts of this state shall, in the manner provided in subsections A, B and I of this section, entertain actions to collect contributions or interest thereon for which liability has accrued under the employment security law of any other state or of the federal government.

**10. Penalties.** Amend subsection A, section 13 of said chapter 218 by striking out the whole of the same and inserting in place thereof the following: A. Whoever willfully makes a false statement or representation or knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under this chapter, either for himself, or for

any other person, shall, upon conviction, be fined not less than twenty nor more than two hundred dollars, or imprisoned not more than one year, or both; and each such false statement or representation or failure to disclose a material fact shall constitute a separate and distinct offense.

**11. Effective Date.** This act shall take effect upon its passage.

[Approved June 6, 1951.]

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## CHAPTER 141.

### AN ACT RELATIVE TO NOTIFICATION OF SO-CALLED WRITE-IN CANDIDATES AT THE STATE PRIMARY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Primary Election.** Amend section 48 of chapter 33 of the Revised Laws by striking out said section and inserting in place thereof the following: **48. Publication.** After the completion of the canvass of returns the secretary of state shall publish in some paper of general circulation the names of the persons found to have been chosen as candidates by the several parties, and shall cause a copy of such paper to be mailed to each person whose name appeared upon any party ballot, and also shall cause a copy of such paper to be mailed to each town or city clerk.

**2. Duties of Secretary of State.** Amend section 49 of chapter 33 of the Revised Laws, as amended by section 1, chapter 71, Laws of 1947, by striking out said section and inserting in place thereof the following: **49. Personal Notice; Major Candidates.** In addition to publication as required by section 48, the secretary of state shall notify in writing each person of his nomination as a candidate for an office to be voted for in more than one town or ward if such person did not file a declaration of candidacy or primary petition for such major office with the secretary of state. A person so notified shall advise the secretary of state, in writing, if he wishes to accept such nomination. If such acceptance of nomination is not received by the secretary of state within six days from the date of the publication of the notice as provided in section 48, the

person shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office.

**3. Town and Ward Offices.** Amend chapter 33 of the Revised Laws by inserting after section 49, as hereinbefore amended, the following new section: **49-a. Notice to Candidates.** Upon receipt of the copy of the publication provided for in section 48 each town or city clerk shall forthwith notify in writing any person in the respective town or city who received a nomination for any town or ward office for which he did not file a declaration of candidacy or primary petition with said clerk. A person so notified shall advise the secretary of state, in writing, if he wishes to accept such nomination. If such acceptance of nomination is not received by the secretary of state within six days from the date of the publication of the notice as provided in section 48, the person shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 142.

### AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION AND DEALING WITH MERIT RATING AND THE COLLECTION OF OVERPAYMENTS IN FRAUD CASES INVOLVING OTHER STATES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Rate of Contribution.** Amend subsection B, section 6 of chapter 218 of the Revised Laws, by inserting at the end thereof the following new paragraph: (3) Each employer shall submit contributions equal to 2.7 per centum of the wages paid by him with respect to employment after March 31, 1951, except as otherwise prescribed in subsection D of this section.

**2. Merit Ratings.** Amend the fourth paragraph of subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949,



section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 of the Laws of 1951, by striking out the whole of said paragraph and inserting in place thereof the following: No employer shall be entitled to a merit rating under this subsection for the first half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of March 31, preceding said first half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said first half of said fiscal year; it being further provided that no employer shall be entitled to a merit rating under this subsection for the second half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of September 30, preceding said second half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said second half of said fiscal year. It being further provided that if as of March 31 preceding the first half of any fiscal year effective with the fiscal year beginning July 1, 1951, the unemployment compensation fund equals or exceeds eighteen million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said first half of said fiscal year. It being further provided that if as of September 30 preceding the second half of any fiscal year effective with the fiscal year beginning July 1, 1951, the unemployment compensation fund equals or exceeds eighteen million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said second half of said fiscal year.

3. **Merit Ratings.** Amend the seventh paragraph of subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949, section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 of the Laws of 1951, by striking out the whole of said paragraph and inserting in place thereof the following: No employer shall be entitled to a merit rating under this sub-

section for any fiscal year effective with the fiscal year beginning July 1, 1951 unless, as of the computation date preceding said fiscal year, he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who for the first time loses his rate because of the foregoing and re-establishes his rights prior to the beginning of the fiscal year to which a rate might have been applicable, may apply for the reinstatement of the rate to which he would have been entitled, said rate to become effective for the second half of the fiscal year in question.

**4. Merit Ratings.** Amend the eighth paragraph of subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949, section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 of the Laws of 1951, by striking out the whole of said paragraph and inserting in place thereof the following: The computation date will be known as December 31 (to include contributions on that year's and prior years' employment paid through the succeeding January 31) and the effective date as July 1. If, as of the computation date, the total of all contributions paid on an employer's own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twelve million dollars but not being equal to or exceeding eighteen million dollars, his contribution rate effective as hereinabove provided shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

#### **Schedule I.**

(a) Two-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(c) Seven-tenths of one per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(d) Nine-tenths of one per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(e) One and two-tenths per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(f) One and one-half per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll;

(g) One and seven-tenths per centum if such excess equals or exceeds fifteen per centum of his average annual pay roll.

**5. Merit Ratings.** Amend the ninth paragraph of subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949, section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 of the Laws of 1951, by striking out the whole of said paragraph and inserting in place thereof the following: It is further provided that, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding eighteen million dollars, said employer's contribution rate effective as hereinabove provided shall, after computation is made in the manner described in the next preceding paragraph, be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

#### **Schedule II.**

(a) Two-tenths of one per centum if such excess equals or exceeds five per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds six per centum of his average annual pay roll;

(c) Eight-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(d) One and one-tenth per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(e) One and five-tenths per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(f) One and eight-tenths per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(g) Two and one-tenth per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(h) Two and two-tenths per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll.

**6. Merit Ratings.** Amend the eleventh paragraph of subsection D, section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 of the Laws of 1949, section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 of the Laws of 1951, by striking out the whole of said paragraph and inserting in place thereof the following: No employer shall be entitled to have more than seven-tenths of one per centum subtracted from the contribution rate established in accordance with this subsection unless the total contributions which became due and were credited to his account in the fund during all past years were at least twice the total benefits paid from the fund and chargeable to his account within the last preceding calendar year.

**7. Effective Date of Chapter 36 of the Laws of 1951.** Amend section 7 of chapter 36 of the Laws of 1951 by striking out the whole of the same and inserting in place thereof the following: **7. Effective Date.** This act shall take effect March 31, 1951, provided that benefits paid to an eligible individual for total or partial unemployment occurring in any benefit year beginning after the effective date of this act shall be charged to the account of the last employer with whom said individual's work record exceeded four (4) consecutive weeks or more of employment, it being further provided that if such condition is not met said benefits in this section referred to shall be and continue to be charged to the most recent employer in the same manner as described in this chapter prior to the effective date of this act.

**8. Recovery for Another State.** Amend section 13 of said chapter 218, as amended by section 23, chapter 138 of the Laws of 1945, by inserting at the end thereof the following new subsection F: **F. Recovery for Another State.** (1) On request of an agency which administers an employment security law of another state and which has found in accordance with the provisions of such law that a claimant is liable to repay benefits received under such law by reason of having knowingly made a false statement or misrepresentation of a material fact

with respect to a claim taken in this state as an agent for such agency, the commissioner may, if the existence of such non-disclosure or misrepresentation has been found by a court of competent jurisdiction, collect from such claimant the amount of such benefits to be refunded to such agency, and in any case in which under this subsection a claimant is liable to repay any amount to the agency of another state such amounts may be collected without interest by civil action in the name of the commissioner acting as agent for such agency.

**9. Effective Date.** This act shall take effect upon its passage.

[Approved June 6, 1951.]

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## CHAPTER 143.

AN ACT TO ESTABLISH A STATE COUNCIL FOR TEACHER EDUCATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Establishment of Council.** An advisory and coordinating council for teacher education, hereinafter called the council for teacher education, is hereby established.

**2. Members of Council.** The council for teacher education shall consist of: The commissioner of education and the chairman of the department of education of the University of New Hampshire; three members appointed by them for terms not exceeding three years, one from a private educational institution, one from the professional personnel of the public schools and one layman; and the presidents of Keene and Plymouth teachers' colleges, or staff members designated by them; provided that additional members may be appointed by these seven for such terms as they may determine. Members of the council shall serve without compensation.

**3. Duties.** The council for teacher education shall co-ordinate teacher education in the state in an advisory capacity through a continuing study and discussion of its problems and shall issue advisory reports to agencies and institutions, public and private, concerned with teacher education or its financing in this state.

4. **Meetings.** The council shall meet at least twice each year.

5. **Officers.** The council members shall elect a chairman and secretary annually to serve for the ensuing year.

6. **Board of Education.** The state board of education shall provide a meeting room, filing space and clerical assistance to the council.

7. **Additional Employment.** The council is empowered to employ consultant services subject to the approval of the state board of education. The said board shall pay the expenses of such employment.

8. **Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 144.

### AN ACT RELATIVE TO MOTOR VEHICLES OWNED BY TOTALLY BLIND SERVICE-CONNECTED VETERANS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Motor Vehicles.** Amend chapter 116 of the Revised Laws by inserting after section 12-b as inserted by chapter 143 of the Laws of 1949 the following new section: **12-c. Special Tags.** The commissioner shall furnish without charge for every motor vehicle owned by a veteran, who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability, a card or tag which may be attached to the visor or otherwise of said motor vehicle so that it may be read through the windshield when said motor vehicle is parked. The commissioner shall determine the form, shape and color of said identification tag or card and shall also determine the information to be contained on said card. Any motor vehicle carrying the identification tag or card provided for herein shall be allowed free parking time in any city or town so long as said motor vehicle is under the direct control of the owner.

2. **Registration.** Amend section 1 of chapter 118 of the Revised Laws by inserting at the end thereof the following

new paragraph: XIV. Totally Blind. No fee shall be charged for registering a motor vehicle owned by a veteran who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability.

**3. Municipal Permits.** Amend chapter 116 of the Revised Laws by inserting after section 20-a, as inserted by section 1, chapter 107, Laws of 1947, the following new section: **20-b. Exception.** No fee shall be charged for a permit to register a motor vehicle owned by a veteran who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability.

**4. Takes Effect.** This act shall take effect as of March 31, 1951.

[Approved June 6, 1951.]

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## CHAPTER 145.

AN ACT RELATIVE TO HUNTING DEER WITH BOW AND ARROW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Taking Deer.** Amend section 16-a of chapter 242 of the Revised Laws, as inserted by chapter 258, Laws of 1949, by striking out said section and inserting in place thereof the following: **16-a. Bow and Arrow.** Any resident holding a valid New Hampshire hunting license upon the payment of an additional fee of two dollars, or any non-resident holding a valid New Hampshire hunting license upon the payment of an additional fee of three dollars, or a non-resident not holding a New Hampshire hunting license, upon the payment of a fee of ten dollars, shall be issued a special license which shall entitle him to hunt deer with bow and arrow for a period of ten days immediately prior to the open season for taking deer. Any person taking a deer under the provisions of this section shall notify a conservation officer within twenty-four hours of such taking.

**2. Repeal.** Section 16-b of chapter 242 of the Revised Laws, as inserted by chapter 258, Laws of 1949, establishing

districts within which deer may be taken with bow and arrow, is hereby repealed.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 146.

AN ACT RELATING TO THE USE OF CONSTRUCTION EQUIPMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Operation of Construction Equipment on Highways.** Amend section 37-a of chapter 119 of the Revised Laws, as inserted by section 2, chapter 104 of the Laws of 1949, by striking out said section and inserting in place thereof the following: **37-a. Exceptions.** The provisions of section 37 shall not prohibit the operation of highway building equipment, as defined in paragraph XI, section 1, chapter 115 of the Revised Laws, as amended by chapter 233 of the Laws of 1949, and motor vehicles, used in the construction or maintenance of highways, provided that such equipment is used within a highway construction zone as prescribed by the highway commissioner.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 147.

AN ACT PROVIDING FOR TUITION PAYMENTS FOR HANDICAPPED CHILDREN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. School Districts.** Amend chapter 134 of the Revised Laws by inserting after section 43 the following new section: **43-a. Tuition of Handicapped Children.** Whenever any handicapped child, of whatever age, shall attend, with the approval of the state board of education, any public or private



school, situated within or outside of this state, which offers special instruction for the training or education of handicapped children and which has been approved for such training by the state board of education, the school district where such handicapped child resides shall be liable for the tuition of said child in the same manner and amount as specified in Revised Laws, chapter 138, section 26 and chapter 137, section 3-a.

2. **Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 148.

### AN ACT TO ASSIST NEEDY SCHOOL DISTRICTS IN PROVIDING ADEQUATE EDUCATIONAL OPPORTUNITY AND TO IMPROVE THE EDUCATIONAL OFFERINGS OF THE PUBLIC ELEMENTARY AND HIGH SCHOOLS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Statement of Intention.** Amend sections 8, 9, 10 and 11 of chapter 140 of the Revised Laws as amended by section 2 of chapter 198 of the Laws of 1947 by striking out said sections and inserting in place thereof the following: 8. **Declaration of Policy.** It is hereby declared to be the policy of the state to share the costs of public elementary and secondary schools with local school districts in such manner that the application of the awards to the several districts shall be made on the basis of need to the end that educational facilities for all children of New Hampshire shall be on a more equitable foundation.

9. **State Aid.** To aid local school districts in financial support of schools the state board shall provide annually to all needy districts, out of state funds appropriated to carry out the provisions of this title, foundation aid necessary to pay the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of seventeen dollars per thousand on adjusted valuation (called the millage) of each district. "Adjusted valuation" as used hereunder shall consist of all the sources of income

available to the town or district for current expenses, including the equalized valuation of the real and personal property of the town or district, subject to local taxation, plus the net income, capitalized at the average property tax rate for the state, derived from interest and dividends tax, national bank stock tax, savings bank tax, railroad tax, motor vehicle permits, licenses, rents, interest on taxes, national forest reserve, fines and forfeitures, trust funds and municipally operated utilities or municipal departments; these amounts to be determined for the year 1950 and every second year thereafter; the intent being to make this adjusted valuation reflect the district's financial ability to support its schools. Said adjusted valuation shall be determined for each district by the tax commission, who shall certify the amount of adjusted valuation of each school district in the state to the state department of education. Where two or more districts are in the same town or city, the income adjustment shall be made on the same proportion as the equalized valuation of the real and personal property of said district bears to the total equalized valuation of the real and personal property of said town or city.

**9-a. Formula.** For the purposes of section 9, the formula to determine the required programs shall be the sum of one hundred seventy-five dollars annually for each elementary pupil and two hundred twenty-five dollars annually for each high school pupil in average daily membership in approved public schools. A district which receives from local taxation for school purposes during the fiscal year previous to computation of its aid a sum less than the yield of a tax of seventeen dollars per thousand of the district's adjusted valuation shall be ineligible to receive any foundation aid. Such aid shall be paid to the district legally responsible for the education of the elementary and high school pupils who attend approved public schools within the district or in other districts on the basis of the average membership and adjusted valuation for the school year preceding its computation. The aid payable for a school year shall be paid to the district eligible for such aid on or before January fifteenth of that school year.

**10. Prorated Funds.** If, for any school year, the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the

provisions of section 9, the appropriation available shall be prorated among the school districts covered under the formula.

**11. Unexpended Appropriation.** Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to satisfy the provisions of sections 9 and 9-a.

**2. Takes Effect.** This act shall take effect July 1, 1951 and its provisions shall be used in the computation of aid to be paid to school districts in the school year 1951-52, and each year thereafter, except that the requirement that a district receive from local taxation during the previous year a sum equal to the yield of a seventeen mill tax on its adjusted valuation to be eligible for aid, shall be inoperative for the first year after this act takes effect.

[Approved June 7, 1951.]

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## CHAPTER 149.

### AN ACT RELATIVE TO THE SALARIES OF THE COUNTY COMMISSIONERS OF ROCKINGHAM COUNTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Rockingham County Commissioners.** Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by section 1 of chapters 66 and 163 of the Laws of 1945, by section 1 of chapters 202 and 284 of the Laws of 1947 and by chapters 73 and 162 of the Laws of 1949, by striking out the word "fifteen" in the fourth line and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows:  
**27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, twelve hundred dollars.

In Belknap, twelve hundred dollars.

In Merrimack, fifteen hundred dollars.

In Hillsborough, three thousand dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, ten hundred dollars.

In Grafton, ten hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**2. Takes Effect.** This act shall take effect as of January 1, 1951.

[Approved June 7, 1951.]

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## CHAPTER 150.

AN ACT RELATIVE TO MISREPRESENTATION BY MINOR FOR THE  
PURPOSE OF PURCHASE OF LIQUOR OR BEVERAGES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Liquor and Beverages.** Amend chapter 170 of the Revised Laws by inserting after section 39 the following new section: 39-a. **Prohibition.** A minor who falsely represents his age for the purpose of procuring liquor or beverages and who procures such liquor or beverages shall be fined not more than twenty dollars.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 8, 1951.]

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## CHAPTER 151.

AN ACT RELATING TO CARRYING OF CONCEALED PISTOLS AND  
REVOLVERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Pistols or Revolvers.** Amend section 4 of chapter 179 of the Revised Laws by striking out said section and insert-

ing in place thereof the following: **4. Carrying Without License.** No person shall carry a loaded pistol or revolver in any vehicle or concealed upon his person, except in his dwelling house or place of business, without a license therefor as hereinafter provided. A loaded pistol or revolver shall include any pistol or revolver with a magazine, cylinder, chamber or clip in which there are loaded cartridges. Whoever violates the provisions of this section shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

**2. Members of the Armed Services.** Amend section 5 of chapter 179 of the Revised Laws by striking out the words "army, navy or marine corps of the United States" in the fourth and fifth lines and inserting in place thereof the words, armed services of the United States when on duty, so that said section as amended shall read as follows: **5. Exceptions.** The provisions of the preceding sections shall not apply to marshals, sheriffs, policemen or other duly appointed peace and other law enforcement officers; nor to the regular and ordinary transportation of pistols or revolvers as merchandise, nor to members of the armed services of the United States when on duty; nor to the national guard when on duty; nor to organizations by law authorized to purchase or receive such weapons; nor to duly authorized military or civil organizations when parading, or the members thereof when at, or going to or from, their customary places of assembly.

**3. Purposes.** Amend section 6 of chapter 179 of the Revised Laws by striking out said section and inserting in place thereof the following: **6. License to Carry.** The selectmen of a town or the mayor or chief of police of a city, or some full-time police officer designated by them respectively, upon application of any resident of said town or city, or the superintendent of the state police, or some person designated by him, upon application of a nonresident, shall issue a license to such applicant authorizing him to carry a loaded pistol or revolver in this state for not more than one year from the date of issue, if it appears that the applicant has good reason to fear injury to his person or property or has any proper purpose, and that he is a suitable person to be licensed. Hunting or target shooting shall be considered a proper purpose. The license shall be in duplicate and shall bear the name, address, description and signature of the licensee. The original there-

of shall be delivered to the licensee and the duplicate shall be preserved by the person issuing the same for one year. The fee for licenses issued to residents of the state shall be fifty cents, which fee shall be for the use of the law enforcement department of the town granting said licenses; the fee for licenses granted to out of state residents shall be one dollar, which fee shall be for the use of the state.

**4. Ammunition.** Amend chapter 441 of the Revised Laws by adding at the end thereof the following new section: **21. Furnished to Minors.** Any person who shall sell, barter, hire, lend or give to any minor under the age of sixteen years any cartridges or shot shells suitable for discharge in any rifle, pistol, revolver or shotgun shall be fined not more than one hundred dollars or imprisoned not more than three months or both. This section shall not apply to fathers, mothers, or guardians of such minor children.

**5. Takes Effect.** This act shall take effect upon its passage. [Approved June 12, 1951.]

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## CHAPTER 152.

### AN ACT RELATING TO FEDERAL AID FOR FISH RESTORATION PROJECTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fish Restoration Projects.** The state of New Hampshire hereby assents to the provisions of the act of Congress entitled, "An act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes," approved August 9, 1950 (Public Law 681, 81st Congress), and the fish and game department, or any other state agency permitted by said act of Congress, are hereby authorized and empowered to perform such acts as may be necessary to the conduct and establishment of co-operative fish restoration and management projects as defined in said act of Congress, in compliance with the said act and rules and regulations promulgated by the Secretary of the Interior thereunder. Provided, that any funds accruing to the

state of New Hampshire from license fees paid by fishermen shall be diverted to no other purpose than the administration of the duly authorized activities of the fish and game department.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 21, 1951.]

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## CHAPTER 153.

### AN ACT PROHIBITING GAMES OF BEANO ON SUNDAY AND PLAYING OF GAME BY MINORS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Games of Beano.** Amend section 2 of chapter 171-A of the Revised Laws as inserted by chapter 292 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **2. License.** The selectmen of a town or the chief of police of any city wherein the provisions of this chapter have been adopted may issue to any charitable organization within such town or city a license to conduct games of beano on not more than five days in any one calendar month, provided however, that such issuing authority may issue to any agricultural fair eligible for benefits under the provisions of section 18 of chapter 171 of the Revised Laws, as amended, a license to conduct games of beano during those days the agricultural fair holds its annual *bona-fide* agricultural exhibition, under the following conditions:

I. The license shall authorize games on specified dates at specified times and at a specified location.

II. Such license shall not be transferable.

III. All games conducted by charitable organizations shall be operated by members thereof, and games conducted by agricultural fairs shall be operated by such persons as may be designated or selected by said agricultural fair and the name and address of such persons shall be endorsed upon the back of the license.

IV. The price to be paid for a single card or play under the license shall not exceed ten cents.

V. No person under the age of eighteen years shall be admitted to any room or hall where said games are being conducted, or shall be permitted to play beano at agricultural fairs, but this section shall not otherwise apply to other games conducted on agricultural fair grounds.

VI. No games of beano shall be played on Sunday.

VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any game or series of games conducted, other than at an agricultural fair, in any calendar day shall not exceed the total amount of value of eight hundred dollars.

VIII. No games shall be conducted prior to 11:00 o'clock in the forenoon, or subsequent to 11:00 o'clock in the night time of the same day.

IX. The organization conducting any agricultural fair shall not charge any charitable organization greater ground rent, concession, or other fees for a location for conducting games of beano than is charged for the same or similar locations for other types of concessions on the fair grounds.

**2. Adoption of Provisions.** Amend section 7 of chapter 171-A of the Revised Laws, as inserted by chapter 292 of the Laws of 1949, by striking out said section and inserting in place thereof the following: **7. Local Option.** The provisions of this chapter shall not become operative in any city or town until the same are adopted by a majority of the legal voters present and voting on the question at an annual or biennial city election in cities or at an annual meeting in towns. In cities, upon petition therefor, by three per cent of the legal voters as appear on the check-lists at the preceding election, addressed to the city council or board of mayor and aldermen, and in towns upon written application therefor of ten or more voters, or one-sixth of the voters, addressed to the selectmen, the following question shall be submitted to the voters at such election: "Shall the provisions of chapter 171-A of the Revised Laws relative to playing games of beano be adopted in this city or town?" In cities and in towns having an official ballot this question shall appear upon the official ballot. In towns where no official ballot is used the vote on the question shall be by special ballot. Proper provision shall be made on such ballot to permit the voter clearly to indicate his choice on the question.



**3. Application.** Amend chapter 171-A of the Revised Laws as inserted by chapter 292 of the Laws of 1949 by inserting after section 7 the following new section: **7-a. Revocation.** A city or town that has adopted the provisions hereof may rescind such action in the same manner as provided for its adoption. The question: "Shall the provisions of chapter 171-A of the Revised Laws relative to playing games of beano be declared no longer in effect in this city or town?" shall be printed on each ballot with proper provisions for the voter clearly to indicate his choice.

**7-b. Time of Operation.** The provisions of this section shall not become operative in any city or town which has heretofore adopted the provisions of this chapter until the next city election in cities and the next annual meeting in towns.

**4. Takes Effect.** This act shall take effect upon its passage. [Approved June 21, 1951.]

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## CHAPTER 154.

### AN ACT PROVIDING FOR THE ISSUANCE OF A POLITICAL CALENDAR FOR ELECTION PURPOSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Elections.** Amend chapter 33 of the Revised Laws by inserting at the end thereof the following new subdivision:

#### Political Calendar

**96. Authority to Prepare.** Prior to the primary election the attorney general shall prepare a political calendar setting forth the dates when required action under the election laws must be taken. Any action taken by any candidate or official in connection with the primary or election laws which shall be taken in accordance with the dates set forth in said calendar shall be conclusively deemed to be seasonably taken for all purposes in connection with the primary and election laws. The expense of printing said political calendar shall be a charge upon the appropriation for the office of the attorney general.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved June 21, 1951.]

**CHAPTER 155.**

AN ACT TO GIVE SMALL TOWNS REPRESENTATION ON COUNTY  
CONVENTIONS WHEN NOT ENTITLED TO  
REPRESENTATION IN THE HOUSE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. County Conventions.** Amend section 5 of chapter 44 of the Revised Laws, as amended by section 1 of chapter 172, Laws of 1945 by striking out said section and inserting in place thereof the following: **5. Members.** The county convention shall consist of the representatives of the towns of the county, and one member from each town which shall not then have a representative who shall be qualified, nominated and elected in the same manner as are representatives to the general court. At the first regular meeting which shall be convened on the second Wednesday of each biennial session of the general court, or some other day in the same week, the county convention shall choose a chairman and clerk, both of whom shall be representatives, and an executive committee. The chairman and the clerk of the convention shall be members of the executive committee *ex officio*.

**2. Regular Meetings.** Amend section 20-a of said chapter 44 as inserted by section 2 of said chapter 172 by striking out said section and inserting in place thereof the following: **20-a. Meetings.** The chairman of the convention may call such further regular meetings of the county convention to be held at the state house in Concord during each biennial session of the general court as are necessary and proper for the conduct of its business, and notice of such meetings shall be sufficient when printed for two legislative days in the journal of the house of representatives. The members of the county convention who are not representatives shall be entitled to receive the same compensation and travel expenses for actual attendance at regular meetings as is provided for attendance at special meetings in section 18 of this chapter, to be paid from the county treasury.

**3. Executive Committee.** Further amend said chapter 44 by inserting after section 20-a the following section: **20-b. Meetings of Executive Committee.** The chairman of the convention may call meetings of the executive committee to be

held at any time either at the state house in Concord or at any place within the respective county. The members of the executive committee shall be entitled to the same compensation and travel expenses for actual attendance at such meetings as is provided for attendance at special meetings of the convention in section 18 of this chapter, to be paid from the county treasury, provided that no such compensation and expenses shall be allowed when such meeting is held at the state house in Concord.

**4. Takes Effect.** This act shall take effect upon its passage, provided however, that no members of county conventions from towns not entitled to representatives shall be seated until after their nomination and election in the primary and biennial elections of 1952, nor until the first regular meetings of the county conventions in January of 1953.

[Approved June 21, 1951.]

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## CHAPTER 156.

### AN ACT RELATIVE TO ELECTION AND QUALIFICATION OF SCHOOL DISTRICT OFFICERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. School District Officers.** Amend section 16 of chapter 139 of the Revised Laws by striking out said section and inserting in place thereof the following: **16. Election.** The moderator, the clerk, school board and treasurer shall be chosen by ballot by a majority vote, provided that if the district has adopted the non-partisan ballot system for the election of its officers the said officers shall be chosen by plurality vote. Each of said officers shall take an oath of office the same as is required of town officers by section 2, chapter 60, Revised Laws.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 21, 1951.]

## CHAPTER 157.

AN ACT RELATIVE TO SECRETARIES OF SUPERVISORY UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Supervisory Unions.** Amend section 47 of chapter 135 of the Revised Laws as inserted by chapter 172, Laws of 1949 by striking out said section and inserting in place thereof the following: **47. Budget.** At a meeting held before January first of each year the supervisory union board shall adopt a budget required for the expenses of the supervisory union for the next fiscal year, which budget may include the salary and expenses of supervisors of health, physical education, music, art and guidance, and any other employees, and expenses necessary for the operation of the supervisory union. The regularly employed office personnel of the supervisory union office shall be deemed employees of the union in so far as payment of salaries and contributions to the employees retirement system of the state of New Hampshire are concerned. The supervisory union board shall apportion the total amount of the budget among the constituent school districts on the following basis, provided that each district shall be required to pay for only those services in which they share. The basis for the apportionment shall be one-half on the average membership for the previous school year and one-half on the last adjusted valuation of the district. Prior to January fifteenth in each year, the board shall certify to the chairman of the school board of each constituent school district the amount so apportioned. Each district within a supervisory union shall raise at the next annual district meeting the sum of money apportioned to it by the supervisory union board for the expenses of services which each district received in connection with the union office. The provisions of this section shall not apply to supervisory unions comprising only one district. The supervisory union board, in adopting the budget, shall not add any new services to the budget of any constituent member district unless such member district has voted, at a duly called regular or special district meeting during the preceding year, to accept such new service. A vote to accept a new service shall not be construed as a vote to raise and appropriate money within the meaning of section 3, chapter 139 of the Revised Laws as amended.

**2. Application.** As of the date of the passage of this act, each supervisory union in the state shall be deemed to have elected to have its regularly employed office personnel become eligible to participate in the employees retirement system of the state of New Hampshire; such union shall be known as an employer for the purposes of acts relative to the employees retirement system. Any regularly employed office employee who at the date of the passage of this act is a member of the employees retirement system as defined by chapter 201, Laws of 1945 under elections by school districts shall continue such membership as an employee of the supervisory union.

**3. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved June 21, 1951.]

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## CHAPTER 158.

### AN ACT RELATIVE TO PERMANENT MAGNETIC STATIONS AND TRUE MERIDIAN LINES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Commissioner of Public Works and Highways.** Amend chapter 269 of the Revised Laws by inserting after section 29 the following new subdivision:

#### **Permanent Magnetic Stations and True Meridian Lines**

**29-a. Established.** For the purpose of providing accuracy in land surveys the commissioner of public works and highways shall be charged with the responsibility of cooperating with any agencies of the federal government engaged in studies of the earth's magnetism to the end of establishing true meridian lines at one or more suitable places in each county, and shall maintain in his office a list of all magnetic stations and true meridian lines established by such agencies in New Hampshire and shall furnish a copy of such list upon request.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 27, 1951.]

**CHAPTER 159.****AN ACT RELATIVE TO USE OF COUPONS ATTACHED TO HUNTING LICENSES.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Hunting License Deer Coupons.** Amend section 14 of chapter 242 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. Use of Coupons.** Each hunting license shall be provided with a coupon which shall be divided into two sections, A 1 and A 2. The holder of a license shall, upon killing his deer, detach, fill out and attach to the deer or carcass, by means of a string or wire, section A 2 of the coupon, by inserting said string or wire through the part marked X on said coupon. He shall, within forty-eight hours after the said deer has been removed from the woods, fill out and mail to the office of the director, section A 1 of the coupon. Section A 2 shall remain attached to the deer, or carcass thereof, as long as said deer or carcass shall remain in the state, and the owner shall be entitled to possess the same as provided in section 7, and shall be entitled to transport it or have it transported as provided in sections 10 and 11 of this chapter.

**2. Repeal.** Section 15 of chapter 242 of the Revised Laws, relative to use of coupons, is hereby repealed.

**3. Prohibition.** Amend section 16 of chapter 242 of the Revised Laws by striking out said section and inserting in place thereof the following: **16. Detached Sections.** No person shall possess a detached or perforated section A 2 coupon during the open season for deer, unless the same be attached to a deer or carcass thereof as provided in this subdivision.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 27, 1951.]

**CHAPTER 160.****AN ACT PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR  
CERTAIN STATE DEPARTMENTS AND INSTITUTIONS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of two hundred twenty thousand eight hundred twenty dollars (\$220,820.00) is hereby appropriated to supplement the appropriations for the fiscal year ending June 30, 1951 as follows: For state hospital one hundred twenty seven thousand nine hundred fifty-five dollars (\$127,955.00); for Laconia state school eleven thousand twenty-nine dollars (\$11,029.00); for cancer commission thirty-five thousand dollars (\$35,000.00); for health department, communicable disease control, twenty-eight thousand two hundred dollars (\$28,200.00); for forestry, forest fire bills to towns, eighteen thousand six hundred thirty-six dollars (\$18,636.00).

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 27, 1951.]

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**CHAPTER 161.****AN ACT RELATIVE TO THE DOLLAR LIMIT OF SMALL CLAIMS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Increase in Small Claims.** Amend section 1 of chapter 378 of the Revised Laws by striking out the words "thirty-five" in the third line and inserting in place thereof the word, sixty, so that said section as amended shall read as follows:

**1. Small Claim Defined.** A small claim is any right of action not involving the title to real estate in which the debt or damages, exclusive of interest and costs, does not exceed sixty dollars.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 27, 1951.]

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## CHAPTER 162.

## AN ACT RELATIVE TO AERONAUTICAL APPROPRIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Aeronautical Appropriations.** Notwithstanding other provision of law the unexpended balance of the amount appropriated by section 33 of chapter 306 of the Revised Laws, as inserted by section 10, chapter 281, Laws of 1947, shall be deemed to be appropriated for the purposes specified in said section and be available for such expenditures for a period of three years from the date of the passage of this act.

**2. Change in Amount.** Amend section 33 of chapter 306 of the Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947, by striking out said section and inserting in place thereof the following: **33. Bonds or Notes Authorized.** The sum of one hundred fifty thousand dollars is hereby appropriated to be used as needed for the purpose of supplementing town funds in such proportions as the aeronautics commission may determine for the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars. An additional sum of forty-five thousand dollars is hereby appropriated to be used as needed for such purposes for the Whitefield airport, provided that the governor and council approve the recommendations of the aeronautics commission that expenditures should be made for said purposes on the basis that anticipated revenues from the airways toll will be adequate to meet payments of principal and interest on bonds or notes issued under the provisions of this section. To provide funds for said appropriations the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding one hundred ninety-five thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall



be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council, shall draw warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 29, 1951.]

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## CHAPTER 163.

### AN ACT TO ABOLISH COSTS IN CRIMINAL CASES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Costs.** The assessment of any costs against respondents in criminal cases is hereby forbidden and all laws whether or not specifically designated hereinafter are hereby repealed insofar as they assess costs against respondents in criminal cases; provided however, that costs involving transportation of prisoners up to the time of court arraignment may be assessed against respondents, in the discretion of the superior court.

**2. Repeal.** Sections 5 and 6 of chapter 430 of the Revised Laws relative to taxation of costs, are hereby repealed.

**3. Costs in Civil Cases.** Amend section 23 of chapter 376 of the Revised Laws by striking out the same and inserting in place thereof the following: **23. Writ; Plea.** There shall be allowed in each bill of costs taxed in civil cases before a justice or municipal court one dollar for each writ or plea.

**4. Jail Sentence.** Amend section 7 of chapter 430 by striking out the words "and costs or either" in the first and second lines, so that said section as amended shall read as follows:

**7. Place of Committal.** Any person sentenced to pay a fine shall be ordered to be imprisoned until sentence is performed, or he is otherwise legally discharged, in the house of correction or jail of the county.

**5. Writ.** Amend section 8 of chapter 430 of the Revised Laws by striking out the words "and costs or for costs only" in the first and second lines, further amend by striking out the words "and costs or the costs alone," in the third and fourth lines, so that said section as amended shall read as follows: **8. Execution.** A writ of execution may be issued for any fine in a criminal case, notwithstanding the respondent may be committed or detained in jail for non-payment thereof; and if the fine shall be collected upon the execution the convict shall not be further detained on account thereof.

**6. Discharge.** Amend section 10 of chapter 430 of the Revised Laws by striking out the words "and costs" in the fourth line so that said section as amended shall read as follows: **10. End of Term, etc.** Any person sentenced conditionally to pay a fine or to be imprisoned for a term shall be discharged at the expiration of the term, and may be discharged at any time on payment of the balance of the fine, after deducting one dollar for each day he has been imprisoned under the sentence.

**7. Computation of Time.** Amend section 11 of chapter 430 of the Revised Laws by striking out the words "and costs" in the second and third lines and the words "and costs" in the sixth line; further amend by striking out the words "and the costs of commitment" in the sixth and seventh lines, so that said section as amended shall read as follows: **11. Committal for Non-payment, Term.** Whenever a person is committed to jail or to a house of correction in default of payment of a fine imposed by a justice of the peace or municipal court he shall be discharged from custody by the keeper thereof, at the expiration of a number of days after the date of his commitment equal to twice the number of dollars and the fraction of a dollar of the fine so imposed. The keeper shall keep a record of all discharges made under the provisions of this section.

**8. Inability to Pay Fine.** Amend section 12 of chapter 430 of the Revised Laws by striking out the words "or costs" in the second line so that said section as amended shall read as follows: **12. Petition for Discharge.** Whenever a person,

under conviction for a criminal offense and confined in jail, is unable to pay the fine the superior court, or any justice thereof in vacation, upon petition of the prisoner or the county commissioners, and satisfactory proof of such inability, may order the prisoner to be discharged upon such terms as they may think proper.

**9. Offenses Against Police of Towns.** Amend section 14 of chapter 430 of the Revised Laws by striking out the words "or costs" in the third line so that said section as amended shall read as follows: **14. Discharge by Selectmen.** Any person convicted of an offense against the police of towns, or against a by-law of a town, may, upon petition and proof of inability to pay the fine, be discharged by the selectmen; and the town shall be liable for prison charges if the prisoner is unable to pay them.

**10. Writ of Execution.** Amend section 15 of chapter 430 of the Revised Laws by striking out the words "or costs" in the second line, so that said section as amended shall read as follows: **15. Effect of Discharge.** In neither of the cases aforesaid shall such fine be released by the discharge of the prisoner, but a writ of execution therefor, against the goods or estate of the prisoner, may be at any time issued, upon request of the county commissioners or selectmen, without a writ of *scire facias*.

**11. Fines, to Whom Paid.** Amend section 16 of chapter 430 of the Revised Laws by striking out the word "costs" in the first line so that said section as amended shall read as follows: **16. To Clerk of Court or Sheriff.** No fines or other money belonging to a county shall be paid to the solicitor; but when imposed or recovered in the superior court they shall be paid to the clerk of court or to the sheriff having a precept therefor.

**12. State Police.** Amend section 10 of chapter 145 of the Revised Laws as amended by section 2, chapter 94, Laws of 1949, by striking out said section and inserting in place thereof the following new section: **10. Disposition of Rewards.** Any fee for the performance of an act in line of duty or reward for the apprehension or the conviction of any person, or for the recovery of any property, received by or payable to an employee, shall be paid by him to the commissioner of motor vehicles who shall immediately forward the same to the state

treasurer. All fines assessed against any violator of law apprehended or prosecuted by a police employee, except such as may be assessed against persons committing or attempting to commit a felony shall be sent, except as hereinafter provided, by the court collecting the same from such law violator, to the commissioner of motor vehicles within seven days from their payment, and by him immediately paid into the state treasury. The commissioner of motor vehicles shall forward to the superintendent such information as he may direct relative to said fees and fines. In case of fines collected hereunder by a municipal court which would under the provisions hereof be payable to the commissioner of motor vehicles the municipal court shall, before forwarding, deduct five dollars from each fine and ten per cent of that part of the fine which exceeds five dollars. Said fines shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

**13. Superior Court.** Amend section 2 of chapter 425 of the Revised Laws as amended by section 14 of chapter 121 of the Laws of 1947 by striking out the words "taxed in the bill of costs" in the seventh line and inserting in place thereof the words, paid by the county, so that said section as amended shall read as follows: **2. Appeals.** A person sentenced for an offense, by a municipal court or justice of the peace, may, at the time such sentence is declared, appeal therefrom to the superior court, and said appeal shall be entered by the appellant at the next return day unless for good cause shown the time is extended by the superior court. The fees for copies sent to the superior court shall be paid by the county. In all criminal cases which are so appealed, or in which defendants are bound over, it shall be the duty of the clerk of the superior court to transmit to the justice of the municipal court, within ten days after such case is finally disposed of, a certificate showing the final disposition of such case.

**14. Repeal.** Section 13 of chapter 115 of the Revised Laws, and section 20 of chapter 376 of the Revised Laws, relative to costs, are hereby repealed.

**15. Fines Collected.** Amend section 30 of chapter 118 of the Revised Laws as amended by chapter 65 of the Laws of 1945 and by chapter 94 of the Laws of 1949 by striking out the words "ten per cent of the amount of all such fines collected by a municipal court shall be deducted" in the seventh

line and inserting in place thereof the words, from each fine collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars; further amend the section by striking out all after the word "be" in the ninth line and inserting in place thereof the following, disposed of as provided in section 12, chapter 377 of the Revised Laws, so that said section as amended shall read as follows: **30. Disposition of Fines, etc.** All fees and fines received by any person under the provisions of any laws of the state relative to the use and operation of motor vehicles, shall be paid to the commissioner within seven days after the receipt thereof, and all moneys received by the commissioner shall be paid monthly to the state treasurer. Provided, however, that from each fine collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars, and the same shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

**16. Witnesses.** Amend chapter 421 of the Revised Laws by inserting after section 12 the following new sections: **12-a. Payment of Witnesses in Criminal Cases.** Any person who testifies as a witness in a municipal or superior court for the state shall be paid the witness fees provided by chapter 392, section 16, of the Revised Laws. It shall be the duty of the clerk of the court before whom such witness shall testify to maintain a register of all persons who have testified as a witness for the state or who are entitled by order of the court to be paid witness fees in each criminal case before that court. From this register the clerk of court shall pay all witness fees monthly to all persons who are entitled to such fees as appears by said register. The payment of such witness fees by clerks of municipal courts shall be made out of moneys collected by the court as provided in chapter 377, section 12, of the Revised Laws. The payment of such witness fees in the superior court shall be a charge against the county. **12-b. No Witness Fees to Salaried Officers.** No sheriff, deputy sheriff, constable, city marshal, chief of police or other police officer who receives a salary or who is to be otherwise compensated as a law enforcement officer in connection with the same criminal case by the state, county, city or town, shall be paid any fee for testifying as a witness in a criminal case; except that any police officer

who is on vacation, furlough or on time off who attends as a witness in a criminal case pending in any municipal or superior court shall, upon order of the court, be paid a witness fee in accordance with section 12-a for each day of such attendance.

**17. Clerks of Municipal Courts.** Amend section 12 of chapter 377 of the Revised Laws by striking out the words "forfeitures, and costs" in the first line and inserting in place thereof the words, and forfeitures, so that said section as amended shall read as follows: **12. Duties.** The clerk shall receive all fines and forfeitures paid into the municipal court from any source, and, after deducting fees of officers and witnesses, cost of clerk's bond, if any, court seal, record books, printing blanks, and such other expenses as may be legally incurred in the maintenance and conduct of said court, shall, except in cases otherwise provided, pay the same over to the treasurer of the city or town wherein the said court is located, for the use of said city or town.

**18. Takes Effect.** This act shall take effect July 1, 1951.  
[Approved June 29, 1951.]

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## CHAPTER 164.

### AN ACT EXTENDING THE APPROPRIATION FOR THE SO-CALLED CHILDREN'S STUDY HOME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Extension of Appropriation.** Amend section 8 of chapter 8 of the Laws of 1950, by striking out the figure "1951" where it occurs in the sixth line and inserting in place thereof the figure, 1953, so that said section as amended shall read as follows: **8. Children's Study Home.** The appropriation provided by section 9 of chapter 279 of the Laws of 1947, and the authority to issue bonds or notes thereunder, relative to improvements at the children's study home, shall not lapse but shall be continued and made available for the purposes of said section for the period from the passage of this act until June 30, 1953.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 29, 1951.]

## CHAPTER 165.

AN ACT MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES  
OF THE STATE OF NEW HAMPSHIRE FOR THE MONTH OF  
JULY, 1951.

WHEREAS, the legislature has not yet adopted a budget for the coming biennium; and

WHEREAS, action at this time is necessary to carry on the functions of the state government after the close of the fiscal year 1951, and prior to the passage of the said budget acts, now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation.** There is hereby appropriated for the general expenses of the state government during the month of July, 1951 the sum of four million three hundred twelve thousand dollars, or so much thereof as may be necessary, to be expended in the manner hereinafter provided, that is to say two million one hundred twenty-five thousand dollars from general funds; one million two hundred seventy-five thousand dollars from highway funds; eight hundred fifty thousand dollars from special funds; sixty-two thousand dollars from fish and game funds. The governor is authorized by and with the advice and consent of the council to draw his warrants for the sums necessary for said temporary appropriations out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Such expenditures shall be a charge upon the respective appropriations to be made subsequently by the legislature for the fiscal year ending June 30, 1952.

**2. Provisions of Law.** The provisions of chapter 22 of the Revised Laws and the provisions of any other statutes inconsistent herewith are hereby suspended to the extent of such inconsistencies during the time this act is in effect.

**3. Takes Effect.** This act shall take effect as of July 1, 1951, and shall continue in effect until August 1, 1951 unless the appropriation acts for the ensuing biennium are sooner enacted in which event the appropriations herein provided shall thereupon lapse.

[Approved June 29, 1951]

**CHAPTER 166.****AN ACT PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR  
THE EXPENSES OF THE LEGISLATURE.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of twenty-eight thousand dollars (\$28,000.00) is hereby appropriated for the expenses of the legislature to supplement the appropriation for the fiscal year ending June 30, 1951.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 29, 1951]

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**CHAPTER 167.****AN ACT RELATIVE TO CLERK HIRE IN THE OFFICES OF  
REGISTERS OF PROBATE.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Registers of Probate.** Amend section 22 of chapter 347 of the Revised Laws as amended by chapters 63 and 125 of the Laws of 1943 and chapter 27 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

**22. Clerk Hire.** Registers of probate shall be allowed annually for clerk hire, payable monthly by the county, such sums as may be authorized by the county convention. In the following counties the minimum to be allowed for clerk hire shall be as follows:

In Rockingham county, one thousand three hundred dollars.

In Strafford county, five hundred dollars.

In Merrimack county, one thousand dollars.

In Hillsborough county, three thousand seven hundred forty dollars.

In Cheshire county, five hundred dollars.

In Sullivan county, five hundred dollars.



In Grafton county, one thousand dollars.

In Coos county, one hundred fifty dollars.

**2. Takes Effect.** This act shall take effect as of January 1, 1951.

[Approved July 10, 1951.]

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## CHAPTER 168.

AN ACT RELATING TO INSPECTORS IN THE DEPARTMENT OF LABOR.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Labor Department.** Amend section 29 of chapter 215 of the Revised Laws as amended by section 13, part 18, chapter 5, Laws of 1950, by striking out the whole thereof and inserting in place thereof the following: **29. Inspectors.** For the purpose of inspecting factories, workshops, commercial and such mercantile establishments as the commissioner shall designate, and for the further purpose of making such other inspections as said commissioner may be authorized to do, he may employ six competent persons who shall be known as inspectors, one of whom shall be a woman, and shall fix their compensation in accordance with the state personnel regulations, and within the limits of available appropriations and funds; provided, however, that the factory inspectors heretofore employed shall continue as inspectors hereunder.

**2. Takes Effect.** This act shall take effect July 1, 1951.

[Approved July 10, 1951.]

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## CHAPTER 169.

AN ACT TO RESTRICT THE CUTTING OR GATHERING OF SEAWEED,  
ROCKWEED AND SEA MOSS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Collecting Seaweed.** Amend chapter 442 of the Revised Laws by inserting after section 25, the following new sections:  
**25-a. Sale Outside State.** If any person shall carry away or

collect any seaweed, rockweed, or sea moss from the banks or shores of this state for sale outside the state, or for sale within the state for the purpose of its being carried outside the state, or shall sell any such seaweed, rockweed, or sea moss to be carried outside the state, he shall be fined not more than fifty dollars.

**25-b. Uprooting.** If any person shall pull or take any growing rockweed or sea moss from the rocks, banks or shores of this state, except by cutting same with a knife so as not to detach or injure its roots, he shall be fined not more than fifty dollars.

**25-c. From Rocks.** If any person shall cut or take any growing rockweed or sea moss from the rocks, banks or shores of this state below high-water mark, above the amount of three bushels in any one day, allowed only in the case of a resident or summer resident of this state, he shall be fined not more than fifty dollars.

**25-d. Enforcement.** Fish and game conservation officers, as well as all state and local police officers, in addition to their other powers and duties, shall enforce all laws relative to the collecting, carrying away, uprooting, cutting, taking, piling and selling of seaweed, rockweed, flatsweed, and sea moss.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved July 10, 1951.]

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## CHAPTER 170.

### AN ACT RELATING TO THE REGISTRATION OF ARCHITECTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Architect Defined.** Amend paragraph (1), section 1, chapter 197, Laws of 1947, by striking out the word "term" in the first line and inserting in place thereof the words, terms "architect" and, and further amend said paragraph by inserting after the word "shall" in the first line the words, be deemed to be identical in meaning and shall, so that said paragraph as

amended shall read as follows: (1) The terms "architect" and "registered architect" shall be deemed to be identical in meaning and shall mean a person who, by reason of having acquired through professional education and practical experience an advanced training in building construction and architectural design and an extensive knowledge of building standards created to safeguard the public from the hazards of fire, panic, structural failure, and unsanitary conditions, is technically and legally qualified to practice architecture as a registered architect as hereinafter defined, and who is registered by the board or otherwise authorized by this act to engage in the practice of architecture as a registered architect.

**2. Examinations.** Amend section 20 of said chapter 197 by striking out in the first, second and third lines the words "when oral or written examinations are required, they shall be held at such time and place as the board shall determine" and inserting in place thereof the words, oral or written examinations shall be held at least twice a year, at such times and places as the board shall determine, so that said section as amended shall read as follows: **20. Examinations.** Oral or written examinations shall be held at least twice a year at such times and places as the board shall determine. If examinations are required on fundamental architectural subjects (such as are ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his completion of the requisite years of experience in architectural work. Satisfactory passage of this portion of the professional examination by the applicant shall constitute an examination credit for the ensuing ten years. The board shall issue to each applicant upon successfully passing the examination in fundamental architectural subjects a certificate stating that he has passed the examination and that his name has been recorded as an architect-in-training. The scope of the examination and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise architectural work so as to insure the safety of life, health and property. A candidate failing an examination may apply for reexamination at the expiration of six months and will be reexamined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

3. **Construction.** Amend section 24, chapter 197, Laws of 1947, by striking out said section and inserting in place thereof the following: 24. **Interpretation.** It shall be a violation of this chapter, subjecting such person to the penalties provided in section 28, for any person, without a certificate of registration from the board, to practice architecture in this state as an architect, or to offer, or to advertise or hold himself out to the public, to practice architecture in this state as an architect. Nothing in this chapter shall be construed to prohibit a professional engineer from doing such architectural work as is incidental to his engineering work. Nothing contained in this chapter shall be construed to prohibit any person from becoming registered both as an architect and as a professional engineer, providing such person meets the statutory requirements for said registration.

4. **New Section.** Amend said chapter 197 by inserting after section 24 the following new section: 24-a. **Exception.** This act shall not be construed to prevent or to affect the practice of architecture, solely as an officer or an employee of a corporation engaged in interstate commerce.

5. **Takes Effect.** This act shall take effect upon its passage. [Approved July 11, 1951.]

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## CHAPTER 171.

### AN ACT RELATING TO TRESPASSING ON POSTED LAND.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Trespasses.** Amend section 7 of chapter 442 of the Revised Laws by striking out the words "upon which has been posted a notice forbidding trespass" in the third line, and further amend said section by adding after the word "vine" in the fourth line the words, or the fruit, flower or the product thereof, so that said section as amended shall read as follows:

7. **Gardens, etc.** Whoever wilfully or without right enters the orchard, nursery, garden, or improved land of another, or the unimproved land of another and destroys or injures any tree, shrub, or vine, or the fruit, flower, or the product thereof,

or steals, takes, or carries away the same or any livestock or poultry, or so enters with intent to do any of said acts, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding six months, or both. Whoever knowingly sells or offers for sale any property taken in violation of the provisions of this section shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, or both.

**2. Posted Land.** Amend chapter 442 of the Revised Laws by inserting after section 14 the following new sections: **14-a. Penalty.** Whoever without right enters upon the cultivated land of another which has been posted with notices as described in section 14-b shall be fined not more than fifty dollars or imprisoned not more than six months, or both.

**14-b. Notices.** The notices referred to in section 14-a shall conform to the following requirements: They shall be of durable material with the words NO HUNTING or TRESPASSING, printed with block letters not less than two inches in height, and shall contain also the name and address of the owner of such land. Such signs shall be not more than one hundred yards apart and shall be posted also at the gates, bars and commonly used entrances.

**14-c. Definition.** Cultivated land within the meaning of this chapter is defined as cleared land from which an annual crop is taken, orchards, cleared land upon which domestic animals annually graze and land which is either burned or cut over once in every two years.

**14-d. Limitation.** Any person who posts his land in conformity with the provisions of sections 14-a and 14-b shall forfeit his right to collect damages from game or game birds as provided in sections 20 and 21 of chapter 241 of the Revised Laws, as amended, except that this provision shall not apply to any person who posts only his land lying within two hundred yards of his dwelling or other farm or out building contiguous to his dwelling and used regularly by him, his family or tenant.

**14-e. Obstructing Private Ways.** Any person who obstructs any private way or driveway by leaving unattended a motor vehicle thereon shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not more than fifty dollars plus the cost of removing said obstruction including towing and storage charges. The owner or other

person entitled to the unobstructed use of such a private way shall be entitled to remove any such vehicle.

**3. Fish and Game Licenses.** Amend section 11 of chapter 247 of the Revised Laws by striking out the word and figures "7 and 12" in the fourth line and inserting in place thereof the figures and word, 7, 12 and 14-a, so that said section as amended shall read as follows: **11. Revocation for Conviction.** The director may revoke the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the director, or who has been found guilty in a municipal court of a violation of sections 7, 12 and 14-a of chapter 442 prohibiting trespassing upon improved land or destroying fences. Such revocation shall not continue for more than one year from the date thereof. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction.

**4. Takes Effect.** This act shall take effect upon its passage. [Approved July 11, 1951.]

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## CHAPTER 172.

### AN ACT RELATING TO PARKING METERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Cities and Towns.** Amend section 1 of chapter 74 of the Laws of 1947 by inserting after the word "meters" in the fifth line the words, and the power to make any incidental use of such meters for advertising as may be desirable, provided such use does not interfere with the regulation and control of traffic, and after the word "meters" in the eighth line the words, and shall have the power to make any incidental use of such meters for advertising as may be desirable, provided such use does not interfere with the regulation and control of traffic, so that said section, as amended, shall read as follows:

**1. Parking Meters.** The city council of any city shall have the power to authorize the installation of parking meters on

any street or public parking area and the power to establish reasonable charges for parking to be paid through such meters and the power to make any incidental use of such meters for advertising as may be desirable, provided such use does not interfere with the regulation and control of traffic. Towns likewise may at any legal meeting vote to authorize the installation of parking meters and establish reasonable charges for parking to be paid through such meters and shall have the power to make any incidental use of such meters for advertising as may be desirable, provided such use does not interfere with the regulation and control of traffic.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 11, 1951.]

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## CHAPTER 173.

### AN ACT RELATIVE TO PAYMENTS BY TAX COLLECTOR.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Tax Collections.** Amend section 31 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: **31. Duties of Collector.** Every collector of taxes shall keep in suitable books provided for the purpose a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for nonpayment of taxes; and these accounts shall be public records. The collector shall, on the last Monday of every month, pay to the town treasurer all money collected by him up to that time. He shall also make a final payment to the town treasurer of all moneys collected by him prior to December thirty-first as soon as possible after said close of the fiscal year. He shall submit his tax books and lists to the treasurer and selectmen for inspection and computation, and if the treasurer or selectmen discover any errors therein they shall immediately notify the town auditors thereof; and thereupon the auditors shall at once examine the collector's records and make a report in writing to the selectmen and the state tax commission stating all errors that may be found. The collector shall also submit his tax books and lists to the selectmen for inspection and ex-

amination whenever so requested by them. He shall on the last Monday of each month maintain office hours in the town hall building or other place designated as a meeting place for the selectmen, for the transaction of tax business. He shall make a written report to the town at the end of each fiscal year, which shall contain the following information: the amount of taxes set down for him to collect; the amount of such taxes collected, together with any interest thereon; the amount of discount allowed, if any; the amount of taxes abated; a detailed list of uncollected taxes, and the amount received for such taxes as were payable for any prior tax year. This report shall also contain a detailed account of the sale by him of any property for nonpayment of taxes.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 16, 1951.]

CHAPTER 174.

AN ACT TO ESTABLISH A NEW APPORTIONMENT FOR THE  
ASSESSMENT OF PUBLIC TAXES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Apportionment.** That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

Rockingham county, \$138.15	
Atkinson, seventy-eight cents .....	\$0.78
Auburn, one dollar and fifty-four cents .....	1.54
Brentwood, ninety-six cents .....	.96
Candia, one dollar and twenty-three cents .....	1.23
Chester, one dollar and thirty-seven cents .....	1.37
Danville, sixty-seven cents .....	.67
Deerfield, one dollar and fifty-six cents .....	1.56
Derry, ten dollars and twenty-seven cents .....	10.27
East Kingston, fifty-eight cents .....	.58
Epping, one dollar and seventy-one cents .....	1.71



Exeter, thirteen dollars and twenty-nine cents . . . . .	\$13.29
Fremont, eighty-six cents . . . . .	.86
Greenland, one dollar and eighteen cents . . . . .	1.18
Hampstead, one dollar and fifty-nine cents . . . . .	1.59
Hampton, twelve dollars and seven cents . . . . .	12.07
Hampton Falls, one dollar and forty-nine cents . . . . .	1.49
Kensington, eighty-one cents . . . . .	.81
Kingston, two dollars and sixteen cents . . . . .	2.16
Londonderry, two dollars and thirty-two cents . . . . .	2.32
New Castle, one dollar and fifty-four cents . . . . .	1.54
Newfields, seventy-five cents . . . . .	.75
Newington, one dollar and fifty-one cents . . . . .	1.51
Newmarket, three dollars and seventy-seven cents . .	3.77
Newton, one dollar and twenty-nine cents . . . . .	1.29
North Hampton, three dollars and eighty cents . . . . .	3.80
Northwood, one dollar and seventy-four cents . . . . .	1.74
Nottingham, one dollar and four cents . . . . .	1.04
Plaistow, two dollars and twenty-six cents . . . . .	2.26
Portsmouth, forty dollars and twenty-three cents . .	40.23
Raymond, two dollars and sixteen cents . . . . .	2.16
Rye, five dollars and ninety-nine cents . . . . .	5.99
Salem, seven dollars and ninety-two cents . . . . .	7.92
Sandown, seventy-two cents . . . . .	.72
Seabrook, two dollars and eighty-eight cents . . . . .	2.88
South Hampton, forty-nine cents . . . . .	.49
Stratham, one dollar and thirty-one cents . . . . .	1.31
Windham, two dollars and thirty-one cents . . . . .	2.31

**Strafford county, \$78.80**

Barrington, one dollar and twenty-nine cents . . . . .	\$1.29
Dover, twenty-six dollars and fifty-two cents . . . . .	26.52
Durham, three dollars and ninety-six cents . . . . .	3.96
Farmington, four dollars and fifty-five cents . . . . .	4.55
Lee, seventy-nine cents . . . . .	.79
Madbury, eighty-six cents . . . . .	.86
Middleton, twenty-five cents . . . . .	.25
Milton, two dollars and sixty-six cents . . . . .	2.66
New Durham, ninety-three cents . . . . .	.93
Rochester, twenty dollars and eighty-six cents . . . . .	20.86
Rollinsford, two dollars and sixty-three cents . . . . .	2.63
Somersworth, twelve dollars and twenty-five cents . .	12.25
Strafford, one dollar and twenty-five cents . . . . .	1.25

**Belknap county, \$58.60**

Alton, four dollars and forty-eight cents .....	\$4.48
Barnstead, one dollar and forty-eight cents .....	1.48
Belmont, two dollars and eleven cents .....	2.11
Center Harbor, one dollar and twenty-three cents ...	1.23
Gilford, four dollars and twenty-four cents .....	4.24
Gilmanton, one dollar and fifty-one cents .....	1.51
Laconia, twenty-nine dollars and sixteen cents .....	29.16
Meredith, six dollars and eleven cents .....	6.11
New Hampton, two dollars and nineteen cents .....	2.19
Sanbornton, one dollar and sixty-three cents .....	1.63
Tilton, four dollars and forty-six cents .....	4.46

**Carroll county, \$39.18**

Albany, forty cents .....	\$0.40
Bartlett, one dollar and seventy-six cents .....	1.76
Brookfield, fifty-seven cents .....	.57
Chatham, forty cents .....	.40
Conway, seven dollars and three cents .....	7.03
Eaton, fifty-two cents .....	.52
Effingham, eighty-four cents .....	.84
Freedom, one dollar and four cents .....	1.04
Hart's Location, five cents .....	.05
Jackson, one dollar and thirty-six cents .....	1.36
Madison, one dollar and forty-six cents .....	1.46
Moultonborough, three dollars and twenty-five cents	3.25
Ossipee, two dollars and ninety-two cents .....	2.92
Sandwich, two dollars and forty-five cents .....	2.45
Tamworth, two dollars and eighty-three cents .....	2.83
Tuftonboro, two dollars and fifty-nine cents .....	2.59
Wakefield, two dollars and sixty-two cents .....	2.62
Wolfeboro, seven dollars and nine cents .....	7.09

**Merrimack county, \$110.98**

Allenstown, two dollars and twenty-seven cents ....	\$2.27
Andover, two dollars and five cents .....	2.05
Boscawen, two dollars and forty-five cents .....	2.45
Bow, two dollars and thirty-four cents .....	2.34
Bradford, one dollar and sixty-four cents .....	1.64
Canterbury, eighty-three cents .....	.83
Chichester, ninety-three cents .....	.93

Concord, fifty-three dollars and eighty-one cents . . . .	\$53.81
Danbury, sixty-seven cents . . . . .	.67
Dunbarton, ninety-seven cents . . . . .	.97
Epsom, one dollar and sixteen cents . . . . .	1.16
Franklin, ten dollars and thirty-nine cents . . . . .	10.39
Henniker, two dollars and thirty-six cents . . . . .	2.36
Hill, ninety-five cents . . . . .	.95
Hooksett, three dollars and nineteen cents . . . . .	3.19
Hopkinton, three dollars and forty cents . . . . .	3.40
Loudon, one dollar and twenty-nine cents . . . . .	1.29
Newbury, one dollar and ninety-one cents . . . . .	1.91
New London, four dollars and fourteen cents . . . . .	4.14
Northfield, one dollar and eighty-eight cents . . . . .	1.88
Pembroke, three dollars and forty-eight cents . . . . .	3.48
Pittsfield, three dollars and thirty-seven cents . . . . .	3.37
Salisbury, sixty-five cents . . . . .	.65
Sutton, one dollar and thirty cents . . . . .	1.30
Warner, one dollar and eighty-nine cents . . . . .	1.89
Webster, one dollar and ten cents . . . . .	1.10
Wilmot, fifty-six cents . . . . .	.56

#### Hillsborough county, \$273.54

Amherst, two dollars and twenty-nine cents . . . . .	\$2.29
Antrim, two dollars and twenty-nine cents . . . . .	2.29
Bedford, three dollars and sixty-two cents . . . . .	3.62
Bennington, one dollar and sixty-eight cents . . . . .	1.68
Brookline, ninety-eight cents . . . . .	.98
Deering, seventy-three cents . . . . .	.73
Francestown, one dollar and six cents . . . . .	1.06
Goffstown, seven dollars and twenty-four cents . . . . .	7.24
Greenfield, one dollar and nine cents . . . . .	1.09
Greenville, two dollars and two cents . . . . .	2.02
Hancock, one dollar and sixty-nine cents . . . . .	1.69
Hillsborough, four dollars and forty-four cents . . . . .	4.44
Hollis, one dollar and ninety-nine cents . . . . .	1.99
Hudson, three dollars and seventy-one cents . . . . .	3.71
Litchfield, sixty-seven cents . . . . .	.67
Lyndeborough, seventy-five cents . . . . .	.75
Manchester, one hundred forty-three dollars . . . . .	143.00
Mason, fifty-one cents . . . . .	.51
Merrimack, two dollars and ninety-seven cents . . . . .	2.97
Milford, six dollars and ninety-eight cents . . . . .	6.98

Mont Vernon, seventy-nine cents .....	\$0.79
Nashua, sixty-three dollars and thirty-three cents ..	63.33
New Boston, one dollar and fifty-one cents .....	1.51
New Ipswich, two dollars and thirteen cents .....	2.13
Pelham, one dollar and seventy-seven cents .....	1.77
Peterborough, seven dollars and seventy-one cents ..	7.71
Sharon, thirty-five cents .....	.35
Temple, seventy-one cents .....	.71
Weare, one dollar and ninety-eight cents .....	1.98
Wilton, three dollars and forty-three cents .....	3.43
Windsor, twelve cents .....	.12

#### Cheshire county, \$75.30

Alstead, one dollar and thirty-nine cents .....	\$1.39
Chesterfield, two dollars and twenty-six cents .....	2.26
Dublin, two dollars and ninety-eight cents .....	2.98
Fitzwilliam, one dollar and sixty-six cents .....	1.66
Gilsum, forty-four cents .....	.44
Harrisville, one dollar and sixty-seven cents .....	1.67
Hinsdale, four dollars and forty-eight cents .....	4.48
Jaffrey, six dollars and forty-four cents .....	6.44
Keene, thirty-dollars and fifty-two cents .....	30.52
Marlborough, two dollars and twenty cents .....	2.20
Marlow, fifty-one cents .....	.51
Nelson, eighty-four cents .....	.84
Richmond, forty-three cents .....	.43
Rindge, one dollar and eighty-two cents .....	1.82
Roxbury, twenty-two cents .....	.22
Stoddard, seventy-nine cents .....	.79
Sullivan, thirty-six cents .....	.36
Surry, forty-five cents .....	.45
Swanzy, three dollars and thirty-seven cents .....	3.37
Troy, two dollars and fourteen cents .....	2.14
Walpole, five dollars and fifty-one cents .....	5.51
Westmoreland, one dollar and eight cents .....	1.08
Winchester, three dollars and seventy-four cents ....	3.74

#### Sullivan county, \$47.91

Acworth, eighty-two cents .....	\$0.82
Charlestown, three dollars and forty-two cents .....	3.42
Claremont, twenty-three dollars and fifty-two cents ..	23.52
Cornish, one dollar and ninety-three cents .....	1.93

Croydon, fifty-one cents .....	\$0.51
Goshen, forty-four cents .....	.44
Grantham, forty-six cents .....	.46
Langdon, forty-three cents .....	.43
Lempster, forty cents .....	.40
Newport, seven dollars and ninety-seven cents .....	7.97
Plainfield, one dollar and fifty-one cents .....	1.51
Springfield, seventy cents .....	.70
Sunapee, four dollars and forty-nine cents .....	4.49
Unity, sixty-three cents .....	.63
Washington, sixty-eight cents .....	.68

**Grafton county, \$105.04**

Alexandria, seventy-seven cents .....	\$0.77
Ashland, three dollars and seventy-six cents .....	3.76
Bath, one dollar and thirty-four cents .....	1.34
Benton, sixteen cents .....	.16
Bethlehem, five dollars and three cents .....	5.03
Bridgewater, one dollar and fifteen cents .....	1.15
Bristol, three dollars and ninety-one cents .....	3.91
Campton, two dollars and fifty-six cents .....	2.56
Canaan, two dollars .....	2.00
Dorchester, twenty-eight cents .....	.28
Easton, thirty cents .....	.30
Ellsworth, six cents .....	.06
Enfield, two dollars and fifty-five cents .....	2.55
Franconia, one dollar and ninety cents .....	1.90
Grafton, seventy-eight cents .....	.78
Groton, fifty-one cents .....	.51
Hanover, eleven dollars and sixty cents .....	11.60
Haverhill, six dollars and thirty-two cents .....	6.32
Hebron, eighty cents .....	.80
Holderness, three dollars and fifty-two cents .....	3.52
Landaff, forty cents .....	.40
Lebanon, thirteen dollars and forty-two cents .....	13.42
Lincoln, two dollars and seventy-nine cents .....	2.79
Lisbon, three dollars and ninety-two cents .....	3.92
Littleton, eight dollars and eighty-nine cents .....	8.89
Lyman, forty-four cents .....	.44
Lyme, one dollar and forty-two cents .....	1.42
Monroe, nine dollars and fifty-two cents .....	9.52
Orange, nineteen cents .....	.19

Orford, one dollar and twenty-six cents .....	\$1.26
Piermont, one dollar and fifty cents .....	1.50
Plymouth, five dollars and ninety-four cents .....	5.94
Rumney, one dollar and seventy cents .....	1.70
Thornton, eighty-five cents .....	.85
Warren, eighty cents .....	.80
Waterville, ten cents .....	.10
Wentworth, seventy cents .....	.70
Woodstock, one dollar and ninety cents .....	1.90

#### Coos county, \$70.26

Berlin, thirty dollars and sixty-seven cents .....	\$30.67
Carroll, one dollar and fifty-four cents .....	1.54
Clarksville, sixty-four cents .....	.64
Colebrook, three dollars and ten cents .....	3.10
Columbia, seventy-two cents .....	.72
Dalton, seventy-one cents .....	.71
Dummer, fifty-eight cents .....	.58
Errol, eighty-four cents .....	.84
Gorham, seven dollars and thirteen cents .....	7.13
Jefferson, one dollar and twenty-seven cents .....	1.27
Lancaster, five dollars and eighty-seven cents .....	5.87
Milan, one dollar and three cents .....	1.03
Northumberland, four dollars and ninety-nine cents .....	4.99
Pittsburg, two dollars and seventy-four cents .....	2.74
Randolph, ninety-four cents .....	.94
Shelburne, one dollar and three cents .....	1.03
Stark, sixty-four cents .....	.64
Stewartstown, one dollar and twelve cents .....	1.12
Stratford, one dollar and fifteen cents .....	1.15
Wentworth's Location, sixteen cents .....	.16
Whitefield, three dollars and thirty-nine cents .....	3.39

#### Unincorporated Places, \$2.24

Cambridge, thirty cents .....	\$0.30
Crawford's Purchase, five cents .....	.05
Dixville, fifty-nine cents .....	.59
Dix's Grant, five cents .....	.05
Erving's Grant, two cents .....	.02
Gilmanton and Atkinson Academy Grant, four cents .....	.04
Green's Grant, six cents .....	.06

Hale's Location, one cent .....	\$0.01
Millsfield, twenty cents .....	.20
Odell, thirty-five cents .....	.35
Sargent's Purchase, eleven cents .....	.11
Second College Grant, sixteen cents .....	.16
Success, twenty-three cents .....	.23
Thompson and Meserve Purchase, seven cents .....	.07

**2. Limitation.** The same shall be the proportion of assessment of public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 16, 1951.]

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## CHAPTER 175.

### AN ACT ESTABLISHING THE JOHN G. WINANT MEMORIAL FOUNDATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trustees of the University of New Hampshire.** Amend chapter 222 of the Revised Laws by inserting after section 15 the following new subdivisions: **15-a. John G. Winant Memorial Foundation.** There is hereby established a charitable and educational foundation to be known as the John G. Winant Memorial Foundation. The purpose of said foundation shall be to administer a fund in memory of the late John G. Winant for aid to needy students at the University of New Hampshire, with special emphasis upon assistance to students majoring in economics and social welfare.

**15-b. Trustees.** The trustees of the University of New Hampshire and their successors are hereby constituted the trustees of the foundation established hereunder. Said trustees shall receive no compensation for their services under this subdivision but expenses reasonably incurred by them shall be paid from income from funds held by the foundation.

**15-c. Powers.** Said trustees may receive by gift, grant, devise or otherwise and may hold, possess and enjoy for the purposes of the foundation real and personal estate and shall likewise have the power to invest and reinvest its holdings of

real or personal property according to the best judgment of the board of trustees. The income from any property real or personal held by said trustees under the provisions of this subdivision shall be expended for charitable and educational purposes as set forth in section 15-a.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved July 16, 1951.]

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## CHAPTER 176.

AN ACT RELATIVE TO BURIAL EXPENSES OF CERTAIN VETERANS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Service in Korean Conflict.** Amend section 16-a of chapter 124 of the Revised Laws as inserted by section 5, chapter 167 of the Laws of 1949 by adding at the end thereof the following new paragraph: VI. "Korean Conflict" between June 25, 1950 and the cessation of hostilities, so that said section as amended shall read as follows: **16-a. Definition of Terms.** The following terms as used in section 16 shall be construed to mean service between the following dates:

I. "Spanish War" between April 21, 1898 and April 11, 1899.

II. "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

III. "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

IV. "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918, shall be considered as World War I service.

V. "World War II" between December 7, 1941 and December 31, 1946.

VI. "Korean Conflict" between June 25, 1950 and the cessation of hostilities.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved July 16, 1951.]



## CHAPTER 177.

AN ACT NAMING CERTAIN BRIDGES IN LANCASTER AND BRADFORD,  
AND RELATIVE TO A CERTAIN RECREATIONAL ROAD IN THE  
TOWN OF HART'S LOCATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Name Given.** The new bridge recently erected across the Connecticut river between the town of Lancaster, New Hampshire and Guildhall, Vermont shall hereafter be called and known as The Rogers Rangers Memorial Bridge and the new bridge recently erected in the town of Bradford across the Warner river on route 114 shall hereafter be called and known as The Mason Weare Tappan Memorial Bridge.

**2. Highway in Hart's Location.** Amend section 6 of part 2 of chapter 90 of the Revised Laws, as amended by section 2, chapter 215, Laws of 1947 and section 1, chapter 230, Laws of 1949, by inserting after the word "Bartlett" in the ninth line the words: the Arethusa Falls road in the town of Hart's Location, so that said section as amended shall read as follows:

**6. Class III Recreational Roads.** The state highway department shall assume full control of reconstruction and maintenance of roads designated by the forestry and recreation commission and highway commissioner within the following state reservations and rights of way thereto, and such roads shall be known as recreational roads; Belknap State Reservation in the town of Gilford; Cathedral Ledge State Reservation in the towns of Conway and Bartlett; the Arethusa Falls road in the town of Hart's Location; Pillsbury State Reservation in the town of Washington; White Lake State Park in the town of Tamworth; Pawtuckaway State Reservation in the towns of Nottingham and Deerfield; Milan Hill State Park in the town of Milan; Cardigan State Reservation in the town of Orange; Kearsarge State Reservation in the town of Wilmot; Mt. Sunapee State Park in the town of Newbury; Rhododendron State Reservation in the town of Fitzwilliam; Bear Brook State Reservation in the towns of Deerfield, Hooksett, Allenstown and Candia; and the road formerly known as the Kearsarge Mountain Toll road in the town of Warner, extending from the original toll gate location to its terminus near the summit of Kearsarge Mountain; and

Monadnock State Forest Reservation in the town of Jaffrey. The cost of reconstruction and maintenance shall be a charge upon the highway funds. This section shall not be construed as affecting the control of the forestry and recreation department over parking areas or other facilities within said reservations.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 16, 1951.]

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## CHAPTER 178.

### AN ACT TO PROVIDE FOR SHORT-FORM DEEDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Purpose.** For the purpose of avoiding the unnecessary use of words in deeds or real estate, or interests therein, the statutory forms herein provided are authorized. Nothing in this act shall be understood as preventing the use of other forms appropriate for the conveyance of real estate or any interest therein.

**2. Unnecessary Words.** The word "grant" in a conveyance of real estate or any interest therein shall be a sufficient word of conveyance without the use of words "give, bargain, sell, alien, enfeoff, convey and confirm" or the words "remise, release and forever quitclaim." No covenant shall be implied from the use of the word "grant." In a conveyance or reservation of real estate, the term "heirs," "assigns" or other technical words of inheritance or succession shall not be necessary to convey or reserve an estate in fee. A deed or reservation of real estate shall be construed to convey or reserve an interest in fee simple unless a different intention clearly appears in the deed.

**3. Uses and Trusts.** When a conveyance or devise of real estate is made to a grantee or devisee to a use intended to be executed by the statute of uses, the word "use" shall be employed in declaring the use; and provisions introduced by the words "in trust" or other expressions than "use" shall be deemed to create trusts and not uses. If no use is declared in a conveyance or devise of real estate or any interest therein,





(b) The words "statutory conditions," except as otherwise specifically stated in the mortgage, shall mean: "Provided, nevertheless, that if the mortgagor, his heirs, executors and administrators, successors and assigns shall pay unto the mortgagee or his executors, administrators, successors or assigns the principal and interest secured by the mortgage, shall perform any and each obligation provided in the note or other instrument secured by the mortgage, until such payment and performance shall pay when due and payable all taxes, charges and assessments for which the property mortgaged may become liable, shall keep the buildings on said premises insured against fire in a sum not less than the amount secured by the mortgage, or as otherwise provided therein, for the benefit of the mortgagee and his executors, administrators, successors and assigns in such form as he or they shall approve, deliver the policies therefor to him or them, and shall not commit or suffer any strip or waste of the mortgaged premises, or any breach of any covenant in said mortgage, then this mortgage deed shall be void."

(c) The words "statutory power of sale" shall be understood as giving the mortgagee and his executors, administrators, successors and assigns the right, upon any default of the performance of the statutory condition as above defined, or any other condition contained in the mortgage, to foreclose by sale under the provisions of Revised Laws, chapter 261, sections 23 to 25 inclusive.

(Form for mortgage deed, with power of sale)

of \_\_\_\_\_, \_\_\_\_\_ County, State  
 of \_\_\_\_\_, \_\_\_\_\_ County, State of \_\_\_\_\_, with  
 mortgage covenants, to secure the payments of \_\_\_\_\_  
 dollars, with \_\_\_\_\_ per cent interest payable semiannually  
 and also perform all the agreements and conditions as provided in note \_\_\_\_\_ of even date, the  
 (Description of land or interest therein being conveyed: incumbrances, reservation, exceptions, if any)  
 This mortgage is upon the statutory conditions, for any breach of which the mortgagee shall have the statutory power of sale.

wife \_\_\_\_\_ dower  
 \_\_\_\_\_ of said mortgagor, release all rights of  
 husband \_\_\_\_\_ curtesy



Vol.           , Page           , by the power conferred by said mortgage and every other power, for           dollars paid, grant to           of           , County, State of           , the premises conveyed by said mortgage.

Witness hand and seal this           day of           , 19...  
Witness:

(Here add acknowledgment)

A deed in substance in that form shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, his heirs, successors and assigns, to his and their own use, with covenants on the part of the grantor, for himself, that, at the time of the delivery of such deed, he was duly authorized to make sale of the premises; that in all of his proceedings in the sale thereof, he has complied with the requirements of the statute in such case provided; and that he will warrant and defend the same to the grantee, his heirs, successors and assigns, against the lawful claims of all persons claiming by, from or under him.

**10. Affidavit of Sale Under Power of Sale in Mortgage.**  
The affidavit required by Revised Laws, chapter 261, section 24, may be in the following form:

                  , grantor in the foregoing deed, on my oath say that the principal and interest (the obligation to           ) secured by the mortgage referred to in the foregoing deed was not paid or tendered or performed when due, and that I caused to be published on the           ,           , and           of           , 19           , in           , a newspaper published in           in said County of           , a notice of which the following is a true copy:

(Insert copy of advertisement)

And I further on oath say that I sent a copy of said notice on the           day of           , 19           , by registered mail to           at           , his last known address. And I further on oath say that pursuant to said notice, at the time and place therein appointed, I sold the mortgaged premises at public auction to           , above named, for           dollars bid by him, being the highest bid made therefor at said auction.

(Signature)

(Here add jurat).

**11. Joint Tenancy.** Amend section 17 of chapter 259 of the Revised Laws by adding at the end thereof the following: The addition, following the names of the grantees in the granting clause of a deed or devise, of the words, "as joint tenants with rights of survivorship" shall constitute a clear expression of intention to create a joint tenancy, so that said section as amended shall read as follows: **17. Tenants in Common.** Every conveyance or devise of real estate made to two or more persons shall be construed to create an estate in common and not in joint tenancy, unless it shall be expressed therein that the estate is to be holden by the grantees or devisees as joint tenants, or to them and the survivor of them, or unless other words are used clearly expressing an intention to create a joint tenancy. The addition, following the names of the grantees in the granting clause of a deed or devise of the words "as joint tenants with rights of survivorship" shall constitute a clear expression of intention to create a joint tenancy.

**12. Takes Effect.** All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect at midnight on the 31st day of July, 1951.

[Approved July 17, 1951.]

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## CHAPTER 179.

AN ACT RELATING TO PAYMENT OF DIVIDENDS IN CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Credit Unions.** Amend section 38 of chapter 315 of the Revised Laws, by inserting after the word "annual" in the first line the words, or semi-annual; and by striking out the words "fiscal year" in the third line and inserting in place thereof the words, the dividend period, so that said section as amended shall read as follows: **38. Establishment of Guaranty Fund.** Before the payment of any annual or semi-annual dividend in any year there shall be set apart as a guaranty fund, ten per cent of the net income which has accumulated during the dividend period, except as hereinafter provided. Said fund and the investments thereof shall belong to the union and shall be held to meet the contingencies or



losses in its business. All entrance fees shall be added at once to the guaranty fund.

**2. Dividend Payments.** Amend section 39 of chapter 315 of the Revised Laws by inserting after the word "annual" in the second line the words, or semi-annual, so that said section as amended shall read as follows: **39. Increase, etc.** Upon recommendation of the board of directors, the members at any annual or semi-annual meeting may increase, and, whenever said fund equals twenty per cent of the amount of the capital stock actually paid in, may decrease the proportion of profits which is required by the preceding section to be set apart as a guaranty fund.

**3. Dividends.** Amend section 42 of chapter 315 of the Revised Laws by inserting after the word "preceding" in the third line the words, or at a semi-annual meeting a dividend may be declared from income which has been actually collected during the six months next preceding, so that said section as amended shall read as follows: **42. Declaring.** At the annual meeting a dividend may be declared from income which has been actually collected during the fiscal year next preceding, or at a semi-annual meeting a dividend may be declared from income which has been actually collected during the six months next preceding, and which remains after the deduction of all expenses, losses, interest on deposits not exceeding four per cent per annum and the amount required to be set apart as a guaranty fund, or such dividend may be declared in whole or in part from undivided earnings of preceding years, not to exceed twenty per cent thereof in any one year; provided, that such earnings are a part of the surplus of the union in excess of all requirements of the guaranty fund.

**4. Dividend Period.** Amend section 43 of chapter 315 of the Revised Laws by striking out the words "fiscal year" in the second line and inserting in place thereof the words, dividend period; and by striking out the word "year" in the third line and inserting in place thereof the words, dividend period, so that said section as amended shall read as follows: **43. Participation.** Such dividends shall be paid on all fully paid shares outstanding at the close of the dividend period; but shares which become fully paid during the dividend period shall be entitled only to a proportional part of said dividend,

calculated from the first day of the month following such payment in full.

**5. Takes Effect.** This act shall take effect upon its passage. [Approved July 17, 1951.]

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## CHAPTER 180.

AN ACT RELATIVE TO OPERATION OF MOTOR VEHICLES IN A  
GROSSLY CARELESS OR GROSSLY NEGLIGENT MANNER  
AND RELATIVE TO SUSPENSION OF LICENSES IN  
SUCH CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicle Operation.** Amend section 12 of chapter 118 of the Revised Laws by striking out said section and inserting in place thereof the following: **12. Reckless or Careless Operating.** Whoever upon any way operates a vehicle recklessly, or so that the lives or safety of the public shall be endangered, or upon a bet, wager or race, or who operates a vehicle for the purpose of making a record, and thereby violates any of the provisions of this title or any special regulations made by the commissioner, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and for a second offense he shall be imprisoned not less than one month nor more than one year. If the death of any person results from the reckless operation of a motor vehicle the person convicted of such reckless operation shall, in lieu of any other penalty imposed by this section, be fined not more than one thousand dollars, or imprisoned not more than five years, or both, provided that the provisions of this section shall not be construed to limit or restrict prosecution for manslaughter. Whoever upon any way operates a vehicle in a grossly careless or grossly negligent manner which said operation does not constitute reckless operation of a motor vehicle and which does not result in the death of any person, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both.

**2. Careless Operation.** Amend sections 13 and 14 of chapter 118 of the Revised Laws by striking out said sections and

inserting in place thereof the following: **13. Revocation of License.** Upon a conviction of a violation of the preceding section the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under the preceding section, immediately revoke the license of the person so convicted; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

**14. Suspension.** Whenever any person convicted of a violation of section 12 or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent operation, and shall, in case of any other convictions under said sections, forthwith suspend the license of such person, and shall order him to deliver the same to the commissioner, who shall not reissue said license until such person is acquitted.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 18, 1951.]

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## CHAPTER 181.

### AN ACT RELATIVE TO FEES FOR LICENSES TO HUNT OR FISH, AND FOR GUIDES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fish and Game.** Amend paragraph I of section 6 of chapter 247 of the Revised Laws as amended by section 1, chapter 217 of the Laws of 1947 by striking out said paragraph and inserting in place thereof the following new paragraphs: I. If the applicant is a resident of this state and wishes to hunt, two dollars and twenty-five cents, and the agent shall thereupon issue a resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals under the restrictions of this title. I-a. If the applicant is a resident of this state and wishes to fish, two dollars and twenty-five cents, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and

transport fish and salt water smelt under the restrictions of this title. I-b. If the applicant is a resident of this state and wishes to hunt and fish, three dollars and seventy-five cents, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of this title.

**2. Resident Minors.** Amend section 6, chapter 247 of the Revised Laws by inserting after paragraph II, the following new paragraph: II-a. If the applicant is a resident under sixteen years of age and wishes to take fur-bearing animals by the use of traps, one dollar, and the agent shall thereupon issue a resident minor's trapping license, which shall entitle the licensee to take fur-bearing animals by the use of traps and sell and transport them under the restrictions of this title.

**3. Nonresidents.** Amend paragraph III of section 6, chapter 247 of the Revised Laws as amended by section 2, chapter 217 of the Laws of 1947, by striking out said paragraph and inserting in place thereof the following new paragraph: III. If the applicant is a nonresident and wishes to hunt, twenty dollars, and said agent shall thereupon issue a nonresident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title.

**4. Nonresident Minors.** Amend paragraph III-a of section 6, chapter 247, Revised Laws, as inserted by section 3, chapter 163, Laws of 1947, by striking out said paragraph and inserting in place thereof the following: III-a. If the applicant is a nonresident under sixteen years of age and wishes to hunt, twenty dollars, and said agent shall thereupon issue a nonresident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

**5. Fishing.** Amend paragraph IV of section 6, chapter 247 of the Revised Laws as amended by section 3, chapter 217, Laws of 1947 and section 1, chapter 245, Laws of 1949, by striking out said paragraph and inserting in place thereof the following: IV. If the applicant is a nonresident and wishes

to take fresh water fish or salt water smelt only, six dollars, and the agent shall thereupon issue a nonresident fishing license which shall entitle the licensee to kill, take and transport fresh water fish and salt water smelt under the restrictions of this title, provided that if said applicant wishes to take said fish or smelt for three consecutive days, two dollars and fifty cents, and the agent shall thereupon issue a nonresident fishing license for said time only, under the restrictions of this title.

**6. Registration of Guides.** Amend section 4 of chapter 248 of the Revised Laws by striking out the same and inserting in place thereof the following: **4. Fees.** Every resident applicant for a license as a guide shall pay to the director therefor the sum of three dollars. Every nonresident applicant for a license as a guide shall pay to the director therefor the sum of thirty dollars.

**7. No License Required.** Amend chapter 245 of the Revised Laws by adding after section 57 the following new section: **57-a. Exception.** No fishing license will be required to take salt water smelt, by hook and line, from the Piscataqua river and its tributaries, south of the Memorial bridge.

**8. Takes Effect.** This act shall take effect as of January 1, 1952.

[Approved July 18, 1951.]

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## CHAPTER 182.

### AN ACT RELATING TO CONVERSION BETWEEN STATE AND NATIONAL BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Conversion between State and National Banks.** Amend chapter 311 of the Revised Laws by adding after section 20 thereof the following new topic and sections:

#### Conversion between State and National Banks

**21. State Bank may Become National Bank by Merger or Conversion.** Nothing in the law of this state shall restrict

the right of a state bank to merge with, consolidate with or convert into a resulting national bank. The action to be taken by such merging, consolidating or converting state bank and its rights and liabilities and those of its stockholders shall be the same as those prescribed for national banks at the time of the action by the law of the United States and not by the law of this state, except that a vote of the holders of two-thirds of each class of voting stock of a state bank shall be required for the merger, consolidation or conversion, and that on conversion by a state into a national bank the rights of dissenting stockholders shall be those specified in section 18 hereof.

**22. National Bank may Become State Bank by Merger.**

Upon compliance with the applicable provisions of this chapter, a national bank may merge with another bank or banks to become a state bank, except that the action by a national bank shall be taken in the manner prescribed by and shall be subject to limitations and requirements imposed by the law of the United States which will also govern the rights of its dissenting stockholders.

**23. National Bank may Convert into State Bank.**

A national bank located in this state which follows the procedure prescribed by the laws of the United States to convert into a state bank, shall be granted a certificate of incorporation in this state if the board of trust company incorporation finds that the bank meets the standards as to location of office, capital structure and business experience of officers and directors for the incorporation of a state bank.

**24. Application for State Charter.** The converting national bank may apply for such certificate of incorporation by filing with the board of trust company incorporation an application signed under oath by its president and cashier and by a majority of its entire board of directors setting forth:

I. The corporate action taken in compliance with the provisions of the laws of the United States governing the conversion of the national to a state bank.

II. The articles of association or agreement, approved by the stockholders, for the government of the bank as a state bank.

**25. Approval of Application.** The board of trust company incorporation upon being satisfied that such application conforms to law shall indorse its approval thereon and there-

upon said application shall be filed in the office of the secretary of state, who, upon payment of a fee equal to one-tenth of one per cent of the capital stock of said corporation as set forth in said articles shall cause the same, with the approval indorsed thereon, to be recorded and shall issue a certificate of incorporation as prescribed in section 18 of chapter 313.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 18, 1951.]

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### CHAPTER 183.

AN ACT RELATIVE TO BORROWING BY MUNICIPAL CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Municipal Bonds.** Amend chapter 72 of the Revised Laws by inserting after section 7-a as inserted by chapter 78 of the Laws of 1949, the following new section: **7-b. Computation of Debt Limit.** In the determination of the debt limit under the provisions of section 7, counties, cities, towns, school districts and village districts shall be entitled to base such determination on their last assessed valuation plus the average assessed valuation of the growing wood and timber of the respective municipality for the years 1944 to 1948 inclusive, as determined by the tax commission under the provisions of section 18 of chapter 79-A of the Revised Laws, as inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12, Laws of 1951.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 18, 1951.]

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### CHAPTER 184.

AN ACT RELATIVE TO ERECTION OF TELEVISION POWER POLES AND OTHER STRUCTURES IN PUBLIC HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Television Structures.** Amend section 1, part 24, chapter 90 of the Revised Laws as inserted by chapter 188 of the

Laws of 1945, by inserting after the word "telegraph" in the first line the word, television, so that said section as amended shall read as follows: **1. Authority to Erect.** Telegraph, television, telephone, electric light and electric power poles and structures and underground conduits and cables, with their respective attachments and appurtenances may be erected, installed and maintained in any public highway and the necessary and proper wires and cables may be supported on such poles and structures or carried across or placed under any such highway by any person, copartnership or corporation as provided in this chapter and not otherwise.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved July 18, 1951.]

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## CHAPTER 185.

AN ACT TO ESTABLISH THE RIGHTS AND PRIVILEGES OF OFFICERS  
AND EMPLOYEES OF THE STATE WHO ENTER INTO THE  
ARMED FORCES OF THE UNITED STATES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Definitions.** For the purposes of this chapter, the following words shall mean:

I. "Armed Forces of the United States" shall include active service in any branch of the armed forces of the United States and women's auxiliaries thereof, the members of which are subject to and under military law.

II. "Present emergency" shall be defined as the period beginning on June 27, 1950 and ending at such later time as the governor by public proclamation declares the end of the present emergency.

**2. Acting Heads of Departments.** In case the head of any state department or institution, or a member of any state agency, board or commission, except a per diem or not compensated member, has entered or is ordered into or enlists in the armed forces of the United States, in connection with the strengthening of the national defense in the present emergency, the governor, with the approval of the council,



may appoint an acting head or member who shall have all the powers, perform all the duties and assume all the responsibilities of the person for whom he is acting, except that the supreme court may appoint any such acting members of the state tax commission.

**3. Other Officials and Employees.** In case any other official or permanent classified state employee has entered or is ordered into or enlists in the armed forces of the United States in such emergency, the appointing or employing authority of such official or employee under the present law may appoint or employ an acting official or employee who shall have all the powers, perform all the duties and assume all the responsibilities of such official or employee for whom he is acting.

**4. Termination of Powers.** The power, duties and compensation of any department head, of any member of a state agency, board or commission, or of any other state official or employee shall temporarily cease upon such entry in the armed forces of the United States, and the appointment, under authority hereof, of any acting member of any state agency, board or commission shall in no manner be deemed to be an enlargement of the legally prescribed membership of such agency, board or commission.

**5. Term of Office.** The term of office of any person appointed under authority hereof shall end upon the day prior to that on which the person for whom the temporary officer or employee of the state has been acting resumes his former position, or the equivalent thereof as provided elsewhere in this act. If any such person, temporarily absent from his state employment as a member of the armed forces of the United States, becomes physically disabled while in such military service to a degree which, in the judgment of the governor and council, disqualifies him from the performance of his former state duties, or if such person shall die while in the armed forces of the United States, the person who is acting in his absence shall hold office until the vacancy has by law been filled (if it is a position which comes within the meaning of section 2 of this act) or, in the cases of other officials and employees provided for in section 3 of this act, shall continue to have all the powers, perform all the duties

and assume all the responsibilities of the position he has temporarily been occupying.

**6. Compensation.** The compensation of any person appointed, under the authority hereof, shall be determined by the same statutory authority or law as the compensation of the person for whom such person is acting.

**7. Term Held in Abeyance.** The term of office of any employee other than those elected by the general court entering the armed forces of the United States for which a temporary appointment is authorized under this chapter shall be held in abeyance during the continuance of such service. The remainder of said term shall not begin to run until sixty days after the person is discharged or has a right to discharge from the armed forces of the United States. If the unexpired term is not applied for as provided in section 8, the unexpired term shall be completed by the person appointed under section 2.

**8. Reinstatement of Employees.** Any state employee who left or leaves to enter the armed forces of the United States shall be reinstated after such service in the armed forces, provided he makes application therefor within sixty days after his discharge from such service. In the event that any such state employee is discharged from the armed forces of the United States because of physical disability which requires a period greater than sixty days but not longer than one year in which to recuperate to an extent which will render him physically qualified to resume his former state duties, upon application in writing to that effect (substantiated by a certificate from a medical physician), filed with the appointing or employing authority of such person within a period of sixty days following discharge from the armed forces, the limiting period of sixty days specified in sections 7 and 8 of this act shall be extended to a period of not more than one year. No person shall be entitled to reinstatement in the event of his dishonorable discharge from such service in the armed forces of the United States. Under the provisions of this chapter any former employee of the state shall be entitled to all increases in compensation and to any within-department promotion or advantage which would have accrued to him had he continued in state service during the time of this service in the armed forces, provided, however, such employee shall have to his credit only the same number of days sick leave as had

accrued to him at the time of his entry into the armed forces. If during the absence of such persons from the state service there has been any change in the organization of the department, board or commission, or other state agency in which the veteran was formerly employed, so that the position formerly held is no longer existent in fact, or if the position formerly held has become technically non-existent by reason of retitling, consolidation with another position or positions, or subdivision of responsibilities into other positions, the veteran shall, without undue delay, be entitled to appointment to a position in the reorganized department, board or commission, which shall in standing and status be equivalent to the position held by him prior to his entry into the armed forces of the United States and carrying compensation at no lesser rate. Provided that if a veteran shall be reinstated in a reorganized department, board or commission, as provided in the preceding sentence, said department, board or commission shall, upon such reinstatement, unless need and an appropriation for an additional employee exists, immediately decrease its personnel by the discharge of one of its other employees, it being the intention of the legislature that in such an event the reinstatement of the veteran shall not unnecessarily increase the number of employees of said department, board or commission.

**9. Leave of Absence for Employees Who Are Not Accepted for Military Duty.** Any employee or official shall be granted a leave of absence for the purpose of receiving an armed forces pre-induction physical examination upon order issued by the selective service system or otherwise entering upon active federal military service. If not accepted for such service, the employee or official shall promptly be reinstated in his position without loss of seniority or status, or reduction in his rate of pay and without prejudice. During such period the employee or official shall for all purposes be considered to have rendered services and to have been compensated therefor at his regular rate of pay.

**10. Takes Effect.** This act shall take effect upon its passage.

[Approved July 19, 1951.]

## CHAPTER 186.

AN ACT RELATIVE TO LICENSING OF HAWKERS AND PEDDLERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Exceptions.** Amend section 3 of chapter 188 of the Revised Laws by striking out the same and inserting in place thereof the following: **3. Exceptions.** The provisions of this chapter relating to hawkers and peddlers shall not apply to any person selling the product of his own labor or the labor of his family or the product of his own farm or the one he tills.

**2. State Licenses.** Amend section 8 of chapter 188 of the Revised Laws by striking out the word "fifty" and inserting the word, ten, before the word "dollars" in the third line thereof, so that said section shall read as follows: **8. State Licenses.** The secretary of state, upon compliance with section 4, shall grant special state licenses upon the payment by the applicant of ten dollars for the use of the state as a state license fee, and the person so licensed may do business as a hawker or peddler in any city or town in this state, without further payments.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved July 23, 1951.]

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CHAPTER 187.

AN ACT RELATING TO THE RECIPROCAL ENFORCEMENT  
OF SUPPORT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

## Part I

## General Provisions

**1. Purposes.** The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

**2. Definitions.** As used in this act unless the context requires otherwise,

I. "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

II. "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

III. "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

IV. "Court" means the superior court of this state and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.

V. "Law" includes both common and statute law.

VI. "Duty of support" includes any duty of support imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance or otherwise.

VII. "Obligor" means any person owing a duty of support.

VIII. "Obligee" means any person to whom a duty of support is owed.

**3. Remedies Additional to Those now Existing.** The remedies provided in part III hereof are in addition to and not in substitution for any other remedies.

**4. Extent of Duties of Support.** The duty of support imposed by the laws of this state or by the laws of the state where the obligee was present when the failure to support commenced as provided in section 7 and the remedies provided for enforcement thereof, including any penalty imposed thereby, bind the obligor regardless of the presence or residence of the obligee.

## Part II

### Criminal Enforcement

**5. Interstate Rendition.** In any case wherein the obligee has previously initiated appropriate civil procedures which are still pending in this state or any other state of the United

States to compel the rendition of support alleged to be due, the governor of this state (1) may demand from the governor of any other state the surrender of any person found in such other state who is charged in this state with the crime of failing to provide for the support of any person in this state and (2) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provision for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

**6. Relief from the above Provisions.** Any obligor contemplated by section 5, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, or who responds to and complies with any lawful order of the superior court of this state made in any proceedings brought under part III of this act, shall be relieved of extradition for desertion or non-support entered in the courts of this state during the period of such compliance.

### **Part III**

#### **Civil Enforcement**

**7. What Duties are Enforceable.** Duties of support enforceable under this law are those imposed or imposable under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced at the election of the obligee.

**8. Remedies of a State or Political Subdivision Thereof Furnishing Support.** Whenever the state or a political subdivision thereof has furnished support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made by invoking the provisions of part III of this act.

**9. How Duties of Support are Enforced.** All duties of support are enforceable by petition irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the superior court.

**10. Contents of Petition for Support.** The petition shall be verified and shall state the name and, so far as known to the petitioner, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information.

**11. Duty of Court of This State as Initiating State.** If the court of this state acting as an initiating state finds that the petition sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, he shall so certify and shall cause certified copies of the petition, the certificate and an authenticated copy of this act to be transmitted to the court of the responding state.

**12. Duty of the Court of This State as Responding State.** When the court of this state, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the county solicitor, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this state to obtain jurisdiction.

**13. Order of Support.** If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

**14. Responding State to Transmit Copies to Initiating State.** The court of this state when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or for reimbursement therefor.

**15. Additional Powers of Court.** In addition to the foregoing powers, the court of this state when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular: (a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount

as the court may deem proper to assure payment of any amount required to be paid by the defendant; (b) To require the defendant to make payments at specified intervals to the probation department or the obligee and to report personally to such probation department at such times as may be deemed necessary; (c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

**16. Additional Duties of the Court of This State When Acting as a Responding State.** The court of this state when acting as a responding state shall have the following duties which may be carried out through the probation department: (a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and (b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

**17. Additional Duty of the Court of This State When Acting as an Initiating State.** The court of this state when acting as an initiating state shall have the duty which may be carried out through the probation department to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

**18. Evidence of Husband and Wife.** Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act.

**19. Evidence.** The rules of evidence applicable to marital proceedings generally shall be applicable to proceedings under part III of this act.

**20. County Solicitor.** It shall be the duty of the county solicitor upon the request of any judge of the superior court, the state department of public welfare, a county commissioner or overseer of the poor to represent the plaintiff in any proceeding under this chapter.

**21. Severability.** If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid pro-



vision or application, and to this end the provisions of this act are declared to be severable.

**22. Repeal.** Chapter 153 of the Laws of 1949 is hereby repealed. Proceedings begun thereunder may be continued under this chapter.

**23. Takes Effect.** This act shall take effect upon its passage.

[Approved July 25, 1951.]

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## CHAPTER 188.

### AN ACT EMPOWERING TOWNS AND CITIES TO ESTABLISH A FUND FOR AERONAUTICAL PURPOSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Towns and Cities.** Amend chapter 51 of the Revised Laws by inserting after section 76 the following new sections:

**76-a. Authorization, Use and Transfer of Town Aeronautical Funds.** Towns and cities are hereby authorized to establish an aeronautical fund for the purposes hereinafter set forth. All tolls, charges, rents or other fees collected by towns or cities for the use of the landing area under the provisions of this chapter and all unexpended balances of appropriations for aeronautical purposes shall be paid into said fund. The moneys in each aeronautical fund shall be kept in a separate account and not intermingled with other funds of the municipality. Said town aeronautical fund shall not lapse and the unexpended balance of said fund shall be carried forward and added to the appropriation for the subsequent year.

**76-b. Restricted Use of Town Aeronautical Funds.** These funds shall be used solely for aeronautical purposes, including but not limited to the acquisition, construction, maintenance, operation and management of any air navigation facility jointly, individually or severally owned or operated in whole or in part by the town or city or an instrumentality thereof, state or any political subdivision thereof or the United States or its instrumentalities or political subdivision.

**76-c. Transfer of Aeronautical Funds.** Any town may, by vote at the annual meeting, authorize the transfer of any

part of its aeronautical fund to the New Hampshire Aeronautics Commission for use for purposes authorized under section 76-b. The town or city transferring such funds may specify the purpose for which such funds may be expended. A city may authorize such transfer by vote of the city council. Funds so transferred to the commission shall not be subject to the budgetary limitation of section 32 of chapter 306 of the Revised Laws as inserted by section 9, chapter 281, Laws of 1947.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 25, 1951]

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## CHAPTER 189.

AN ACT RELATIVE TO UNEXPENDED BALANCES OF AMOUNTS APPROPRIATED BY CAPITAL BUDGET CHAPTERS 210 OF THE LAWS OF 1945 OR CHAPTER 294 OF THE LAWS OF 1947.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Crediting Accounts.** On or before September 1, 1951, in the event that there are unexpended balances of the amounts appropriated by capital budget chapter 210 of the Laws of 1945 or chapter 294 of the Laws of 1947, the acting director of accounts, subject to the direction and supervision of the comptroller, shall apply or credit such unexpended balances against any overexpended capital budget accounts.

**2. Appropriation.** The sum of \$27,000 is hereby appropriated for purposes of offsetting the net overexpended capital budget accounts after application or crediting of the unexpended balances as provided in section 1.

**3. Bonds and Notes Authorized.** To provide funds for the appropriations made in section 2 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of twenty-seven thousand dollars (\$27,000), and for such purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such notes or bonds, their

rate of interest, and the dates when interest shall be paid, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for purposes of this act alone, and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds or notes may be negotiated and sold by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

**4. Short Term Notes.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of twenty-seven thousand dollars (\$27,000).

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved July 25, 1951]

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## CHAPTER 190.

AN ACT RATIFYING A PROPOSED COMPACT WITH CERTAIN STATES SPECIFIED PROVIDING FOR ABATEMENT OF EXISTING POLLUTION AND CONTROL OF FUTURE POLLUTION OF INTERSTATE WATERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Ratification.** The state water pollution commission is hereby authorized to enter into a compact with any one or more of the states of Maine, Vermont, Rhode Island, Connecticut and New York and the Commonwealth of Massachusetts, as follows:

### **New England Interstate Water Pollution Control Compact**

WHEREAS, The growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of two or more states; and

WHEREAS, Such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such areas; and

WHEREAS, The abatement of existing pollution and the control of future pollution in the interstate waters of the New England area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement;

Now, therefore, the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as follows:

Article I. It is agreed between the signatory states that the provisions of this compact shall apply to streams, ponds and lakes which are contiguous to two or more signatory states or which flow through two or more signatory states or which have a tributary contiguous to two or more signatory states or flowing through two or more signatory states, and also shall apply to tidal waters ebbing and flowing past the boundaries of two states.

Article II. There is hereby created the New England Interstate Water Pollution Control Commission (hereinafter referred to as the commission) which shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory state concurred in by the others.

Article III. The commission shall consist of five commissioners from each signatory state, each of whom shall be a resident voter of the state from which he is appointed. The commissioners shall be chosen in the manner and for the terms provided by law of the state from which they shall be appointed. For each state there shall be on the commission a member representing the state health department, a member representing the state water pollution control board (if such

exists), and, except where a state in its enabling legislation decides that the best interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests, and a member representing an agency acting for fisheries or conservation.

Article IV. The commission shall annually elect from its members a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who shall be a professional engineer versed in water pollution and may employ such stenographic or clerical employees as shall be necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable by-laws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or place within the signatory states. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory states which may be necessary to carry out the intent and purpose of this compact. The commission shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor shall the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint

a treasurer who may be a member of the commission, and disbursements by the commission shall be valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary shall be custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

Article V. It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, shellfish culture, navigation and disposal of wastes.

The commission shall establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various classifications of use. It is agreed that each of the signatory states through appropriate agencies will prepare a classification of its interstate waters in entirety or by portions according to present and proposed highest use and for this purpose technical experts employed by state departments of health and state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more states. Each signatory state agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval, all signatory states through their appropriate state health departments and water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity.

Article VI. Each of the signatory states pledges to provide for the abatement of existing pollution and for the control of future pollution of interstate inland and tidal waters as de-

scribed in Article I, and to put and maintain the waters thereof in a satisfactory condition consistent with the highest classified use of each body of water.

Article VII. Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or prevent the enforcement of any requirement by any signatory state imposing any additional condition or restriction to further lessen the pollution of waters within its jurisdiction. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory states.

Article VIII. The signatory states agree to appropriate for the salaries, office, administrative, travel and other expenses such sum or sums as shall be recommended by the commission. The commonwealth of Massachusetts obligates itself only to the extent of sixty-five hundred dollars in any one year, the state of Connecticut only to the extent of three thousand dollars in any one year, the state of Rhode Island only to the extent of fifteen hundred dollars in any one year, and the states of New Hampshire, Maine, and Vermont each only to the extent of one thousand dollars in any one year.

Article IX. Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

Article X. The commission is authorized to discuss with appropriate state agencies in New York state questions of pollution of waters which flow into the New England area from New York State or *vice versa* and to further the establishment of agreements on pollution abatement to promote the interests of the New York and New England areas. Whenever the the commission by majority vote of the members of each signatory state shall have given its approval and the state of New York shall have taken the necessary action to do so, the state of New York shall be a party to this compact for the purpose of controlling and abating the pollution of waterways common to New York and the New England states signatory to this compact but excluding the waters under the jurisdiction of the Interstate Sanitation Commission (New York, New Jersey and Connecticut).

Article XI. This compact shall become effective immediately upon the adoption of the compact by any two contiguous states of New England but only in so far as applies to those states and upon approval by Federal law. Thereafter upon ratification by other contiguous states, it shall also become effective as to those states.

**2. Procedure.** Whenever the state water pollution commission shall have entered into the compact substantially in the form set forth in section 1 with the duly authorized agency of any of the states specified in said section, it shall file a certified copy of such compact in the office of the secretary of state and shall notify the governor of its action. Such compact shall thereupon become effective and operative as between this state and such other state or states, subject to the consent of the Congress of the United States, which the governor shall take such steps as may be necessary to obtain. The governor is hereby authorized and requested, upon receiving notice of the filing of the required copy thereof in the office of the secretary of state, to notify forthwith the governors of the specified states and the President of the United States, that the state on its part has ratified and executed said compact. The original notice of ratification received from the governor or other duly authorized official of any state joining in said compact shall be filed with the official copy of said compact in the office of the secretary of state, and such notice, if any as may be received from the President or the Congress of the United States, signifying the consent of the Congress to said compact, shall be filed in the same manner.

**3. Commissioners.** After the aforesaid compact shall become effective and operative as provided in section 2, the governor, with advice and consent of the council, shall designate or appoint five persons to serve as commissioners to the New England Interstate Water Pollution Control Commission, hereinafter called the commission. One of such commissioners shall be an employee of the state department of health, and the other four commissioners shall be appointed from the membership of the New Hampshire water pollution commission, one of whom shall be the chairman of said commission *ex-officio*. Said commissioners, except the chairman of the New Hampshire water pollution commission, shall hold office for a term of four years each. Vacancies shall be filled for the



remainder of unexpired terms, in the same manner as original appointments are made. The terms of commissioners first appointed shall begin on the date when the compact aforesaid becomes effective and operative in accordance with section 2.

**4. Compensation.** Each commissioner designated or appointed by the governor who, while such commissioner, holds no salaried state office, shall be paid by the state as compensation the sum of thirty dollars for each day's service performed in connection with his duties as such commissioner, but not to exceed six hundred dollars in any fiscal year. All commissioners shall be entitled to their actual expenses incurred in the performance of their duties as such.

**5. Reports.** The commissioners on the part of the state shall obtain accurate accounts of all the commission's receipts and disbursements and shall report to the governor and the comptroller annually on or before the fifteenth day of September, setting forth in such detail as the comptroller may require the transactions of the commission for the fiscal year ending on the preceding June thirtieth. They shall include in such report recommendations for any legislative action that the commission deems advisable, including such amendments or additions to the laws of the state as may be necessary or desirable to carry out the intent and purposes of the New England interstate water pollution control compact among the states joining therein.

**6. Appropriation.** The sum of four thousand dollars for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953 are hereby appropriated for the purposes of this act. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

**7. Repeal.** Any portion of section 19 of chapter 266 of the Revised Laws or chapter 259 of the Laws of 1947 which are inconsistent herewith are hereby repealed.

**8. Takes Effect.** This act shall take effect upon its passage.

[Approved July 30, 1951.]

**CHAPTER 191.****AN ACT TO REHABILITATE THE GENERAL FUND OF THE STATE  
TREASURY FOR FUNDS INVESTED IN LIQUOR INVENTORY.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Borrowing.** To provide funds for the purpose of rehabilitating the general funds of the state treasury for funds invested in liquor inventory, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of three million dollars (\$3,000,000). The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

**2. Payments.** The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126 of the Laws of 1931 as amended.

**3. Payments into Special Fund.** If the average value of the liquor inventory during any twelve month period shall be reduced below three million dollars (\$3,000,000), the difference shall be credited by the state treasurer to a special fund to be applied to the reduction of the debt created by this act. Pending application of these funds to the reduction of said debt, the state treasurer, with the approval of the governor and council, may invest said funds in obligations of the United States Treasury and any revenue received from said investment of said funds shall be credited to the special fund provided by chapter 126 of the Laws of 1931 as amended.

**4. Proceeds from Sale.** The proceeds of the sale of such bonds or notes shall be paid into the general funds of the state.

**5. Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer

and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

**6. Short Term Notes.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of three million dollars.

**7. Sale of Bonds or Notes.** All bonds or notes except short term loans issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, and (3) to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

**8. Takes Effect.** This act shall take effect upon its passage.

[Approved July 31, 1951.]

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## CHAPTER 192.

### AN ACT MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE MONTH OF AUGUST, 1951.

WHEREAS, the legislature has not yet adopted a budget for the coming biennium; and

WHEREAS, action at this time is necessary to carry on the functions of the state government, and prior to the passage of the said budget acts; now therefore

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** There is hereby appropriated for the general expenses of the state government during the month

of August, 1951, the sum of four million dollars, or so much thereof as may be necessary, to be expended in the manner hereinafter provided, that is to say, one million seven hundred ninety thousand dollars from general funds; one million three hundred thousand dollars from highway funds; eight hundred seventy-five thousand dollars from special funds; thirty-five thousand dollars from fish and game funds. The governor is authorized by and with the advice and consent of the council to draw his warrants for the sums necessary for said temporary appropriations out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Such expenditures shall be a charge upon the respective appropriations to be made subsequently by the legislature for the fiscal year ending June 30, 1952.

**2. Provisions of Law.** The provisions of chapter 22 of the Revised Laws and the provisions of any other statute inconsistent herewith are hereby suspended to the extent of such inconsistencies during the time this act is in effect.

**3. Takes Effect.** This act shall take effect as of August 1, 1951 and shall continue in effect until September 1, 1951, unless the appropriation acts for the ensuing biennium are sooner enacted in which event the appropriations herein provided shall thereupon lapse.

[Approved July 31, 1951.]

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## CHAPTER 193.

### AN ACT RELATIVE TO SUBVERSIVE ACTIVITIES.

WHEREAS, there is a World Communist movement under the domination of a foreign power, having as its objective the establishment of totalitarian dictatorship in all parts of the world under its control; and

WHEREAS, such dictatorship is characterized by the liquidation of all political parties other than the Communist Party, the abolishment of free speech, free assembly, and freedom of religion, and is the complete antithesis of the American constitutional form of government; and

WHEREAS, the methods used by such a police state include treachery, deceit, infiltration into governmental and other in-

stitutions, espionage, sabotage, terrorism and other unlawful means; and

WHEREAS, the World Communist movement is not a political movement, but is a world-wide conspiracy having sections in each country; and

WHEREAS, using the methods above set forth, it has already successfully conquered in recent years a large part of the world and has established spearheads in this country in the form of various conspiratorial organizations, some masquerading under the pretense of being political parties, others infiltrating organizations which they seek to control in order to further the objectives of the World Communist movement; and

WHEREAS, the subversive groups have had similar objectives and it is essential to the preservation of the state, as well as for the protection of citizens from unfounded accusations, that criminal acts of a seditious nature be clearly and expressly defined; and

WHEREAS, the methods adopted by subversive persons and organizations render it imperative that the loyalty of persons entering the public employment of the state of New Hampshire or any of its political subdivisions be definitely established, not only for protection of governmental processes but in order to shield employees from unfounded accusations of disloyalty; therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Subversive Activities.** Amend the Revised Laws by adding after chapter 457 the following new chapter:

### **Chapter 457-A**

#### **Subversive Activities**

**1. Definitions.** For the purposes of this chapter "organization" means an organization, corporation, company, partnership, association, trust, foundation, fund, club, society, committee, association, political party, or any group of persons, whether or not incorporated, permanently or temporarily associated together for joint action or advancement of views on any subject or subjects.

"Subversive organization" means any organization which

engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of New Hampshire, or of any political subdivision of either of them, by force, or violence.

"Foreign subversive organization" means any organization directed, dominated or controlled directly or indirectly by a foreign government which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or to advocate, abet, advise, or teach, activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of the constitutional form of government of, the United States, or of the state of New Hampshire, or of any political subdivision of either of them, and to establish in place thereof any form of government the direction and control of which is to be vested in, or exercised by or under, the domination or control of any foreign government, organization, or individual; but does not and shall not be construed to mean an organization the *bona fide* purpose of which is to promote world peace by alliances or unions with other governments or world federations, unions or governments to be effected through constitutional means.

"Foreign government" means the government of any country or nation other than the government of the United States of America or of one of the states thereof.

"Subversive person" means any person who commits, attempts to commit, or aids in the commission, or advocates, abets, advises or teaches, by any means any person to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of New Hampshire, or any political subdivision of either of them, by force, or violence; or who is a member of a subversive organization or a foreign subversive organization.

### Sedition

**2. Felonies.** It shall be a felony for any person knowingly and willfully to

(a) commit, attempt to commit, or aid in the commission

of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of New Hampshire, or any political subdivision of either of them, by force or violence; or

(b) advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or assist in the commission of any such act under such circumstances as to constitute a clear and present danger to the security of the United States, or of the state of New Hampshire or of any political subdivision of either of them; or

(c) conspire with one or more persons to commit any such act; or

(d) assist in the formation or participate in the management or to contribute to the support of any subversive organization or foreign subversive organization knowing said organization to be a subversive organization or a foreign subversive organization; or

(e) destroy any books, records or files, or secrete any funds in this state of a subversive organization or a foreign subversive organization, knowing said organization to be such.

Any person who shall be convicted by a court of competent jurisdiction of violating any of the provisions of this section shall be fined not more than twenty thousand dollars, or imprisoned for not more than twenty years, or both, at the discretion of the court.

**3. Penalty.** It shall be a felony for any person after August 1, 1951 to become, or after November 1, 1951 to remain a member of a subversive organization or a foreign subversive organization knowing said organization to be a subversive organization or foreign subversive organization. Any person who shall be convicted by a court of competent jurisdiction of violating this section shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both, at the discretion of the court.

**4. Barred from Office.** Any person who shall be convicted by a court of competent jurisdiction of violating any of the provisions of sections 2 and 3 of this chapter, in addition to all other penalties therein provided, shall from the date of such conviction be barred from

(a) holding any office, elective or appointive, or any other

position of profit or trust in or employment by the government of the state of New Hampshire or of any agency thereof or of any county, municipal corporation or other political subdivision of said state;

(b) filing or standing for election to any public office in the state of New Hampshire.

**5. Dissolution of Organizations.** It shall be unlawful for any subversive organization or foreign subversive organization to exist or function in the state of New Hampshire and any organization which by a court of competent jurisdiction is found to have violated the provisions of this section shall be dissolved, and if it be a corporation organized and existing under the laws of the state of New Hampshire, a finding by a court of competent jurisdiction that it has violated the provisions of this section shall constitute legal cause for forfeiture of its charter and its charter shall be forfeited, and all funds, books, records and files of every kind and all other property of any organization found to have violated the provisions of this section shall be seized by and for the state of New Hampshire, the funds to be deposited in the state treasury and the books, records, files and other property to be turned over to the attorney general of New Hampshire.

**6. Assistance Furnished.** For the collection of any evidence and information referred to in this chapter, the attorney general is hereby directed to call upon the superintendent of state police, and county and municipal police authorities of the state to furnish him such assistance as may from time to time be required. Such police authorities are directed to furnish information and assistance as may be from time to time so requested. The attorney general may testify before any grand jury as to matters referred to in this chapter as to which he may have information.

**7. Records.** The attorney general shall maintain complete records of all information received by him and all matters handled by him under the requirements of this chapter. Such records as may reflect on the loyalty of any resident of this state shall not be made public nor divulged to any person except with the permissions of the attorney general to effectuate the purposes hereof.

**8. Grand Jury Inquiries.** The superior court, when in its discretion it appears appropriate, or when informed by the



county solicitor that there is information or evidence of the character described in section 2 of this chapter to be considered by the grand jury, shall charge the grand jury to inquire into violations of this chapter for the purpose of proper action, and further to inquire generally into the purposes, processes and activities and any other matters affecting communism or any related or other subversive organizations, associations, groups or persons.

### **Loyalty**

**9. Employment.** No subversive person, as defined in this chapter, shall be eligible for employment in, or appointment to any office, or any position of trust or profit in the government of, or in the administration of the business of this state, or of any county, municipality, or other political subdivision of this state.

**10. Written Statements Required.** Every person and every board, commission, council, department, court or other agency of the state of New Hampshire or any political subdivision thereof, who or which appoints or employs or supervises in any manner the appointment or employment of public officials or employees shall establish by rules, regulations or otherwise, procedures designed to ascertain before any person, including teachers and other employees of any public educational institution in this state, is appointed or employed, that he or she as the case may be, is not a subversive person, and that there are no reasonable grounds to believe such persons are subversive persons. In the event such reasonable grounds exist, he or she as the case may be, shall not be appointed or employed. In securing any facts necessary to ascertain the information herein required, the applicant shall be required to sign a written statement containing answers to such inquiries as may be material, which statement shall contain notice that it is subject to the penalties of perjury.

**11. Exceptions.** The inquiries prescribed in section 10 other than the written statement to be executed by an applicant for employment, shall not be required as a prerequisite to the employment of any persons in the classification of laborers in any case in which the employing authority shall in his or its discretion determine, and by rule or regulation specify the reasons why, the nature of the work to be performed is such that employment of persons as to whom there

may be reasonable grounds to believe that they are subversive persons as defined in this chapter will not be dangerous to the health of the citizens or the security of the government of the United States, the state of New Hampshire or any political subdivision thereof.

**12. Present Employees.** Every person, who on August 1, 1951 shall be in the employ of the state of New Hampshire or of any political subdivision thereof, other than those now holding elective office shall be required on or before October 1, 1951 to make a written statement which shall contain notice that it is subject to the penalties of perjury, that he or she is not a subversive person as defined in this chapter, namely, any person who commits, attempts to commit, or aids in the commission, or advocates, abets, advises or teaches by any means any person to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of New Hampshire, or any political subdivision of either of them, by force, or violence; or who is a member of a subversive organization or a foreign subversive organization, as more fully defined in this chapter such statement shall be prepared and execution required by every person and every board, commission, council, department, court, or other agency of the state of New Hampshire or any political subdivision thereof responsible for the supervision of employees under its jurisdiction. Any such person failing or refusing to execute such a statement or who admits he is a subversive person as defined in this chapter shall immediately be discharged.

**13. Discharge of Personnel; Hearing.** Reasonable grounds on all the evidence to believe that any person is a subversive person, as defined in this chapter shall be cause for discharge from any appointive office or other position of profit or trust in the government of or in the administration of the business of this state, or of any county, municipality or other political subdivision of this state, or any agency thereof. The personnel commission shall, by appropriate rules or regulations, prescribe that persons charged with being subversive persons, as defined in this chapter, shall be accorded notice and opportunity to be heard, in accordance with the procedures prescribed by law for discharges for other reasons. Every

person and every board, commission, council, department, or other agency of the state of New Hampshire or any political subdivision thereof having responsibility for the appointment, employment or supervision of public employees not covered by the state classified service shall establish rules or procedures similar to those required herein for classified services for a hearing for any person charged with being a subversive person, as defined in this chapter after notice and opportunity to be heard. Every employing authority discharging any person pursuant to any provision of this chapter shall promptly report to the attorney general the fact of and the circumstances surrounding such discharge. A person discharged under the provisions of this section shall have the right within thirty days thereafter to appeal to the superior court of the county where such person may reside for a determination by such court (with the aid of a jury if the appellant so elects) as to whether or not the discharge appealed from was justified under the provisions of this act. The court shall speedily hear and determine such appeals, and from the judgment of the court, there shall be a further appeal to the supreme court of New Hampshire as in civil cases.

**14. Declarations of Candidates.** No person shall become a candidate for election under the provisions of chapter 33 of the Revised Laws of New Hampshire to any public office whatsoever in this state, unless he or she shall file with the declaration of candidacy required by said chapter an affidavit that he or she is not a subversive person as defined in this chapter. No declaration of candidacy shall be received for filing by any town or city clerk or by the secretary of state of New Hampshire unless accompanied by the affidavit aforesaid, and there shall not be entered upon any ballot or voting machine at any election the name of any person who has failed or refused to make the affidavit aforesaid.

**15. False Statements.** Every written statement made pursuant to this chapter by an applicant for appointment or employment, or by any employee shall be deemed to have been made under oath if it contains a declaration preceding the signature of the maker to the effect that it is made under the penalties of perjury. Any person who makes a material misstatement of fact (a) in any such written statement, or (b) in any affidavit made pursuant to the provisions of this chapter, or (c) under oath in any hearing conducted by any

agency of the state, or of any of its political subdivisions, pursuant to this chapter, or (d) in any written statement by an applicant for appointment or employment or by an employee in any state aid institution of learning in this state, intended to determine whether or not such applicant or employee is a subversive person as defined in this chapter, which statement contains notice that it is subject to the penalties of perjury shall be subject to the penalties of perjury prescribed in chapter 457 of the Revised Laws.

**16. Separability.** If any provision, phrase, or clause of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions, phrases, or clauses or applications of this chapter which can be given effect without the invalid provision, phrase, or clause or application and to this end the provisions, phrases and clauses of this chapter are declared to be severable.

**17. Title.** This chapter may be cited as the Subversive Activities Act of 1951.

**2. Sabotage Prevention.** Amend section 15 of chapter 458 of the Revised Laws by striking out said section and inserting in place thereof the following: **15. When in Force.** This chapter, and all orders made under it shall be in force until May 15, 1945 and thereafter whenever the governor and council shall by proclamation declare a state of emergency to exist; provided, any violation hereof, committed while this chapter is in force, may be prosecuted and punished thereafter, whether or not this chapter is in force at the time of such prosecution and punishment.

**3. Inconsistent Laws.** All laws inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

**4. Takes Effect.** This act shall take effect August 1, 1951. [Approved August 1, 1951.]

## CHAPTER 194.

### AN ACT RELATIVE TO POWERS OF STATE HEALTH OFFICER AS TO VACCINATION FOR SCHOOL ATTENDANCE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. School Attendance.** Amend section 1 of chapter 142 of the Revised Laws by striking out the words "vaccinated; or," in the second line and inserting in place thereof the words, vaccinated, provided that the state health officer may temporarily suspend this requirement for a period of not longer than six months; or unless said child, so that said section as amended shall read as follows: **1. Vaccination.** No child shall attend a public or private school in this state unless he has been vaccinated, provided that the state health officer may temporarily suspend this requirement for a period of not longer than six months; or unless said child has had the smallpox; or has submitted not less than three times to the process of vaccination; or holds a certificate of the local board of health that he is an unfit subject for vaccination. The local board of health shall issue such a certificate on the advice of a registered physician of the state and practicing in the town in which the child resides.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 195.

### AN ACT RELATING TO SETTING TRAPS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trapping.** Amend section 12 of chapter 244 of the Revised Laws by striking out said section and inserting in place thereof the following: **12. Setting Traps.** No person shall set or arrange any trap upon any land of which he is not the owner or occupant, except such traps as may be placed under water from a boat or canoe on any body of water of over ten acres or on the following named rivers, Androscoggin, Am-

monoosuc, Ashuelot, Bear Camp, Contoocook, Connecticut, Coheco, Mascoma, Merrimack, Merrymeeting, Isinglass, Pemigewasset, Pine, Saco, Soucook, Suncook, and Winnepesaukee and their navigable tributaries, until he has secured from the owner or occupant a permit in writing signed by said owner or occupant, and until he shall have filed with the conservation officer in whose district said person is going to trap, a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passageway by human beings or domestic animals. No person shall set or arrange any trap in or under any bridge, ditch or drainage system, whether artificial or natural, within the limits of the right of way of any public highway.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 196.

### AN ACT RELATIVE TO INDEMNITY FOR CONDEMNED DOMESTIC ANIMALS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Domestic Animals; Indemnity.** There is hereby appropriated the sum of two hundred thousand dollars for the department of agriculture for use in eradicating brucellosis (Bang's Disease), and for indemnities for bovine tuberculosis as provided for in chapter 229, of the Revised Laws, as amended by section 1, chapter 137 of the Laws of 1945, and chapter 149, Laws of 1949 and by section 1, chapter 300 of the Laws of 1949. The governor with the advice and consent of the council shall draw his warrant for the payment from the funds provided by this act of sums due or expended for the purposes authorized hereunder.

**2. Bonds and Notes Authorized.** To provide funds for the appropriation made in section 1 hereof, the state treasurer is

hereby authorized, with the consent of the governor and council, to borrow such sums as are needed from time to time, not to exceed two hundred thousand dollars, upon the credit of the state, and for that purpose may issue bonds or notes, in the name and on behalf of the state of New Hampshire, at a rate of interest to be determined at the time of consent to the issue, and said interest to be payable semi-annually. Such bonds or notes shall be in such form and such denominations as the governor and council may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

**3. Records and Accounts.** The secretary of state and the state treasurer shall keep accounts of the bonds and notes issued under the provisions of section 2 as they are required to keep for bonds and notes authorized by chapter 159 of the Laws of 1939. The treasurer shall negotiate and sell such bonds or notes in the same manner as provided in said chapter 159.

**4. Short-Time Notes.** Prior to the issuance of serial bonds or notes hereunder the treasurer, with the consent of the governor and council, may for the purpose hereof borrow money from time to time on short-time loans which may be refunded by the issuance of bonds or notes hereunder provided, however, that at no time shall the indebtedness of the state on such short-time loans and said bonds or notes exceed the said sum of two hundred thousand dollars.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 197.

AN ACT RELATIVE TO LIABILITY UNDER INSURANCE POLICIES  
ISSUED TO THE STATE AND MUNICIPAL SUBDIVISIONS THEREOF.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Insurance Coverage, State and Municipal Subdivisions.**  
Amend chapter 329 of the Revised Laws by inserting after

section 2 the following new section: **2-a. Limited Liability.** It shall be lawful for the state or any municipal subdivision thereof, including any county, city, town, school district or other district, to procure the policies of insurance described in section 1 of this chapter. In any action against the state or any municipal subdivision thereof to enforce liability on account of a risk so insured against, the insuring company or state or municipal subdivision thereof, shall not be allowed to plead as a defense immunity from liability for damages resulting from the performance of governmental functions, and its liability shall be determined as in the case of a private corporation. Provided, however, that liability in any such case shall not exceed the limits of coverage specified in the policy of insurance, and the court shall abate any verdict in any such action to the extent that it exceeds such policy limit.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 198.

### AN ACT RELATING TO TRIAL PLACING INMATES AT THE INDUSTRIAL SCHOOL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trial Placement.** Amend section 26 of chapter 463 of the Revised Laws by striking out the words "an inhabitant of this state" in the first and second lines, and inserting in place thereof the words, or trial place with a suitable person, so that said section as amended shall read as follows: **26. Binding Out.** The trustees may bind out to or trial place with a suitable person, any child committed to their charge. To this end they may make indentures for such binding out for any time, not exceeding the minority of the child, as seems to them proper. But in every such indenture the trustees shall reserve the right, by giving notice in writing to that effect, to cancel the indenture and remove the child from the master, whenever it shall appear to the trustees that the further continuance of the child with the master will be prejudicial to



the best interests of the child. No indenture shall be assignable without written consent of the trustees given at the time of assignment and after full investigation.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 199.

AN ACT RELATIVE TO FEES FOR TESTING AND SEALING WEIGHING AND MEASURING DEVICES AND INSPECTORS AND CITY SEALERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Inspectors.** Section 3 of chapter 192 of the Revised Laws, relative to inspectors, is hereby repealed.

**2. Weights and Measures.** Amend section 10 of chapter 192 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Inspections.** The commissioner, or his inspectors at his direction, shall at least once each year visit the various cities having local sealers and inspect their work, and in the performance of duties hereunder he shall inspect the weights, measures, balances or any other weighing or measuring appliances of any person, firm or corporation in said city.

**3. Commissioner of Agriculture.** Amend section 12 of chapter 192 of the Revised Laws by striking out said section and inserting in place thereof the following: **12. Regulations.** The commissioner shall promulgate rules and regulations relative to inspections, tests and methods of procedure under the provisions hereof and such rules and regulations shall be binding upon state inspectors, city sealers and public weighers.

**4. Cities.** Amend section 20 of chapter 192 of the Revised Laws by striking out said section and inserting in place thereof the following: **20. City Sealers.** There shall be a sealer of weights and measures in each city of not less than ten thousand population, according to the latest United States census. Said sealer shall be appointed by the mayor, with the consent of the city council, provided that no person shall be so appointed until his appointment has been approved in

writing by the commissioner of agriculture and shall hold office during good behavior. The city sealer in said city shall have the same powers and duties as state inspectors have throughout the state.

5. **Inspections.** Amend chapter 192 of the Revised Laws by inserting after section 22 the following new sections: 22-a. **Fees.** Except as hereinafter provided there shall be collected for inspections and sealing of weighing and measuring devices by the state inspectors or city sealers the following fees, to be paid by the state institution, municipal subdivisions, person or persons for whom the services are rendered:

I. Each scale with a weighing capacity of more than ten thousand pounds, five dollars.

II. Each scale with a weighing capacity of five thousand to ten thousand pounds, two dollars.

III. Each scale with a weighing capacity of one hundred to five thousand pounds, one dollar.

IV. Scales and balances under one hundred pounds, fifty cents.

V. Each mechanical capacity device including kerosene, oil and grease pumps, but excluding gasoline pumps and meters on vehicle tanks, twenty-five cents.

VI. Each retail stationary metering pump, one dollar.

VII. Each vehicle or bulk meter, three dollars.

VIII. Each taximeter or measuring device used upon vehicles to determine the cost of transportation, twenty-five cents.

IX. Each machine or other mechanical device used for determining linear or area measurement, fifty cents.

X. Each measurement of a vehicle used in transporting fuel wood, one dollar.

XI. Each log caliper and board rule, one dollar.

XII. Calibrating for capacity vehicle tank used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, one dollar. For each additional one hundred gallons or fraction thereof, an additional twenty-five cents shall be received. Where a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes of this section, be considered a separate tank.

XIII. All extra weights and other measures, ten cents each.

XIV. For all other weighing or measuring devices not included in this section, such reasonable fees as the commissioner of agriculture shall determine.

**22-b. Exceptions.** No fee shall be collected for state testing of city standards under the provisions of section 8. No person shall be required to pay fees for more than one inspection and sealing a year provided that a person may request an additional testing of a weighing or measuring device and in such case the required fee shall be paid.

**22-c. Disposition of Fees and Fines.** All fees collected by a state inspector or city sealer, and fines, under the provisions of this chapter and chapter 193 of the Revised Laws shall be forwarded to the commissioner of agriculture to be by him forwarded to the state treasurer. The state treasurer shall keep said funds in a special account to be known as the weights and measures fund. From said fund shall be paid all expenses of the department of agriculture relative to weights and measures. In addition the state treasurer shall pay to each city having a city sealer one-half of all fees collected in said city by state inspectors or city sealer, to be for the use of said city, for the purposes of this chapter. The sums in said special account shall not lapse but shall be available for weights and measures expenses for the succeeding year. Any additional funds in said account over and above the amount allowed by the legislature for appropriation for said function shall be available for further expenditures for said purposes in such amounts as the governor and council may approve.

**22-d. Authority of City.** Except as provided herein, no city shall charge any fees for inspection and sealing of weighing and measuring devices, provided that the city may authorize a charge for the use of city standards.

**6. Public Weighers.** Amend chapter 192 of the Revised Laws by inserting after section 44 the following new section:

**44-a. Procedure.** The procedure to be followed by such weighers in the discharge of their duties shall be as provided by regulations issued by the commissioner of agriculture except as otherwise provided by law. Nothing in this chapter, 192, shall apply to the professional and technical equipment of weighing and measuring devices used in pharmacies li-

censed by the commission of pharmacy and practical chemistry of the state of New Hampshire.

**7. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved August 1, 1951.]

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## CHAPTER 200.

### AN ACT RELATIVE TO TAKING, TRANSPORTATION AND SALE OF LOBSTERS AND LOBSTER MEAT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fees.** Amend section 42 of chapter 245 of the Revised Laws as amended by section 2 of chapter 12, Laws of 1950, by striking out said section and inserting in place thereof the following: **42. License.** No person shall at any time place, set, keep, maintain, supervise, lift, raise or draw in, from any waters under the jurisdiction of this state, or in any way aid or assist in so doing, any pot, trap, warp or any other device used in taking lobsters or crabs without first procuring a special license so to do; nor during the time from sunset to one hour before sunrise. Such license shall be issued by the director, under such rules and regulations and in such form as may be prescribed by him. The fee for such license shall be fifteen dollars for a person who does not use more than seventy-five traps, or twenty-five dollars for a person who uses more than seventy-five traps, provided that if a person does not take lobsters or crabs for the purpose of selling the same and does not use more than five traps, the fee shall be five dollars. The fees and fines collected under the provisions of this subdivision and the expenses of enforcing the same shall be accounted for separately by the director.

**2. Female Lobsters.** Amend section 45 of chapter 245 of the Revised Laws as amended by section 6, chapter 12, Laws of 1950, by striking out said section and inserting in place thereof the following: **45. Distinctive Mark.** Any person taking any female lobster carrying spawn shall immediately mark said lobster by a V notch not less than one half inch in width at the widest point and not over one half inch in depth

in the middle flipper of the tail and return said lobster to the water. No person shall take a female lobster that has the middle flipper broken or cut off.

**3. Imported Lobster Meat.** Amend chapter 245 of the Revised Laws by inserting after section 47-a, as inserted by section 9, chapter 12, Laws of 1950, the following new sections: **47-b. Lobster Meat.** No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdiction of this state unless such meat shall comply with section 47 of this chapter. The inclusion of any such meat of less than the prescribed legal length within any container, package, receptacle or tray shall subject all such meat included in said container, package, receptacle, or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 47. The provisions of this section shall not apply to lobster meat processed outside the jurisdiction of this state and shipped directly in interstate or foreign commerce to a person, firm or corporation duly licensed to sell said lobster meat within this state. The burden of proving that lobster meat offered for sale was purchased in interstate or foreign commerce shall be upon the person, firm or corporation selling same.

**47-c. Mutilated Lobsters.** The possession of lobsters, or parts thereof, alive or dead, cooked or uncooked, mutilated in such manner as to make accurate measurements as prescribed in this chapter impossible, shall be *prima facie* evidence that they are not of required legal length. Provided that this section shall not apply to hotels, restaurants or individuals having in possession chopped lobster meat as provided in section 47-a.

**4. Interference with Equipment.** Amend section 48 of chapter 245 of the Revised Laws by striking out the same and inserting in place thereof the following: **48. Limitation.** No person, except the owner or a conservation officer, shall take up, lift, molest or transfer any pot, trap, car or other contrivance that is set for the taking or holding of lobsters or crabs, nor take, remove or carry away from the beach or shore, any such pot, trap, car or other contrivance or warp or buoy thereof without the written permission of the owner thereof. In addition to the penalty for violation of this section said person, if he holds a license, shall lose said license for one year.

5. **Buoy.** Amend section 49-a of chapter 245 of the Revised Laws as inserted by section 11, chapter 12, Laws of 1950, by striking out said section and inserting in place thereof the following: **49-a. Distinctive Colors.** Each applicant for a lobster and crab license shall state the color scheme or other special markings of the buoys desired to be used by him. These colors, if approved by the director, shall be set forth in his license, and all buoys used by the licensee shall be marked accordingly.

6. **Limitation.** Amend chapter 245 of the Revised Laws by inserting after section 49-a as hereinbefore amended, the following new section: **49-b. Traps on Trawls.** No pot, trap or other contrivance for taking or holding lobsters or crabs shall be set or buoyed other than plainly and separately except as hereinbefore provided. When pots, traps, or other contrivances are set on trawls, buoys plainly marked as provided in sections 49 and 49-a shall be set on both ends of the trawls. Permission for setting such trawls must be obtained from the director and so stated on the license issued under section 42.

7. **License to Sell.** Amend section 53 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: **53. Lobster Meat.** No person except hotels and restaurants serving cooked lobster to guests for immediate consumption as food shall sell lobster meat which has not been processed and sealed within containers which do not require refrigeration without first procuring a license. The director shall issue such license for a period of one year. The annual fee for a resident for such license shall be two dollars and to a nonresident the fee shall be ten dollars.

8. **Retail and Wholesale Lobster Dealers.** Amend section 53-a of chapter 245 of the Revised Laws as inserted by section 13, chapter 12, Laws of 1950, by striking out said section and inserting in place thereof the following: **53-a. Licenses.** I. **Retail Dealers License.** No person, firm or corporation shall engage in a retail trade in lobsters or crabs, without first having procured from the director a license therefor. Such license shall entitle the holder, as a retail dealer, to buy and sell, ship and transport, lobsters and crabs in retail trade within and outside this state. A separate license shall be required for each market, store, vehicle or other facility where

lobsters and crabs are sold in retail trade. A retail dealers' license shall not be required of a person to buy or transport lobsters and crabs that are possessed by him for consumption by himself or family, nor of a properly licensed fisherman who, by virtue of his lobster and crab license, may transport and sell any lobsters and crabs that have been lawfully taken by him.

II. Fees. The following fees shall be collected for licenses issued under the provisions of paragraph I: To a resident, for a retail dealer's license, two dollars and for each license for additional facilities, two dollars; to a nonresident, for a retail dealer's license, twenty-five dollars, and for each additional facility, five dollars.

III. Wholesale Dealers Licenses. No person, firm or corporation shall engage in a wholesale trade in lobsters or crabs without first having procured from the director a license therefor. Said license shall entitle the licensee to buy and sell and transport lobsters and crabs in wholesale trade within the state and to ship the same within and outside the state. A separate license shall be required for each market, store, vehicle or other facility where lobsters or crabs are sold at wholesale.

IV. Fees. The following fees shall be collected for licenses issued under the provisions of paragraph III: To a resident, for a wholesale dealer's license, twenty-five dollars, and for each license for an additional facility, three dollars; to a nonresident, for a wholesaler dealer's license, fifty dollars, and for each license for an additional facility, five dollars.

9. Search and Seizure. Amend paragraph IV of section 54 of chapter 245 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: IV. To raise, lift or in any way examine any pot, trap, car or other contrivance that is set for the taking or holding of lobsters and crabs and to seize all pots, traps, cars or other contrivances and the contents thereof used in violation of any law, rule or regulation relating to lobsters and crabs, and to hold the same until the fine and costs imposed for such violation have been paid in full. Provided, that in case such fine and costs are not paid within sixty days after imposition such pots, traps, cars or contrivance may be sold at public auction. Prior to such sale the department shall give notice to

the owner, if known, by registered mail, otherwise a notice shall be published once in a newspaper of general circulation in the state, giving the time and place of such sale. If the owner shall appear and shall pay the fines and costs and shall reimburse said department for expenses incurred in connection therewith the property may be delivered to him, otherwise the same shall be sold and the proceeds of such sale shall be for the use of the department.

**10. Interstate Commerce.** Amend chapter 245 of the Revised Laws by inserting after section 55 the following new section: **55-a. Exceptions.** The provisions of this subdivision relative to taking lobsters and crabs shall not apply to transportation of lobsters and crabs in interstate commerce where shipment originated outside the state and is consigned outside the state.

**11. Violations.** Amend section 56 of chapter 245, Revised Laws, by striking out said section and inserting in place thereof the following: **56. Penalties.** Any person who violates a provision of this subdivision shall be penalized as follows: For a violation of sections 43-a, 44, 45, 46, 46-a, 49, 49-a, 49-b, 50, 53 or 53-a, a fine of not more than fifty dollars for each offense; for a violation of sections 42, 43 or 48, a fine of not more than fifty dollars or imprisoned for not more than thirty days, or both; for a violation of sections 47 or 47-b, a fine of five dollars and not more than five dollars additional for each lobster or parts thereof involved, or imprisoned for not more than ninety days, or both.

**12. Resident and Nonresident.** Amend chapter 245 of the Revised Laws by inserting after section 55-a as hereinbefore inserted, the following new section: **55-b. Definition.** The word "resident" as used in this subdivision when applied to a corporation shall mean a corporation organized under the laws of this state. The word "nonresident" as used in this subdivision when applied to a corporation shall mean a corporation organized under the laws of another state.

**13. Takes Effect.** The provisions of sections 2, 4, 6 and 9 of this act shall take effect upon the passage of this act. The remaining sections shall take effect as of January 1, 1952. [Approved August 1, 1951.]



**CHAPTER 201.**

AN ACT RELATING TO INVESTMENTS OF SAVINGS BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Banks, Insurance Companies and Fraternal Benefit Societies.** Amend chapter 310 of the Revised Laws by adding at the end thereof the following new sections:

**Participating Loans**

**23. Definitions.** For the purposes of this chapter, a participating loan shall mean any loan made by each of several savings banks, banking and trust companies, national banks or insurance companies or fraternal benefit societies participating severally with an originating lender in, and having a part interest in, a legal investment as defined in paragraphs I, I-a, II, III and IV, section 3 of this chapter. For the purposes of this chapter, a participating lender shall mean any bank, banking and trust company, national bank or insurance company or fraternal benefit society participating in or holding a part interest in a legal investment as defined in paragraphs I, I-a, II, III, and IV, section 3 of this chapter. For the purposes of this chapter, an originating lender shall mean any savings bank, banking and trust company, national bank, or insurance company or fraternal benefit society, which holds the original executed note of the borrower and issues participation certificates to participating lenders under this subdivision.

**24. Athorization.** Participating loans as defined in section 23 of this chapter shall be legal investments subject to the provisions of this subdivision.

**25. Limitations.** No participating loan shall be made unless a copy or summary of the original written application by the borrower is supplied to the participating lender by the orginating lender, and unless at least two members of the board of trustees or board of directors of the participating lender shall certify on the copy or summary of the original application, according to their best judgment, the value of the premises to be mortgaged.

**26. Participation Certificates.** Each participating lender shall obtain a participation certificate from the originating

lender. Such participation certificate shall set forth the full amount of the loan, the name and extent of participation of each participating lender, the date and terms of amortization of the loan, and that the originating lender holds a note and mortgage duly executed by the borrower for the full amount of the loan. In case of any change in the names of or the extent of the participation of participating lenders, a new and substituted participation certificate shall be issued to each participating lender.

**27. Copy Filed.** Each participating lender shall hold and file in its records a certified, photostatic or executed copy of the participation agreement, and any amendment thereof.

**28. Participation Agreement.** No participating loan shall be made unless a participation agreement shall be executed which shall incorporate: the extent of participation by the originating and participating lenders; provision that, if legal right therefor exists, foreclosure proceedings shall be instituted by the originating lender upon written request by participating lenders representing a majority of the amount of the total outstanding loan; provision that, if legal right to foreclosure exists, the originating lender, within sixty days of written notice of desire to withdraw by any participating lender, shall institute foreclosure proceedings or pay to such participating lender the amount currently due such lender. In case of any change in the names of or the extent of the participation of participating lenders, the participation agreement shall be amended accordingly.

**29. Insurance Statement.** The originating lender shall submit to and each participating lender shall keep on file, a certified statement signed by one of the officers of the originating lender showing the amount and type of insurance on the mortgaged property.

**30. Exclusion.** Nothing in this subdivision shall be deemed to apply to participating or other loans by persons, firms or corporations other than those falling within the definition of "participating lender" as set forth in section 23 of this subdivision.

**2. Fraternal Benefit Societies.** Amend section 12 of chapter 333 of the Revised Laws, as inserted by chapter 149 of the Laws of 1945, by inserting after the words "life insurance companies" a comma and the following: except that any so-

ciety doing business in the Dominion of Canada may invest not more than five per cent of its total admitted assets in accordance with the laws governing investments by fraternal benefit societies in effect in the provinces where said society is licensed to do business, so that said section as amended shall read as follows: **12. Investments.** Every society shall invest its funds only in the manner permitted by the laws of this state for the investment of the assets of life insurance companies, except that any society doing business in the Dominion of Canada may invest not more than five per cent of its total admitted assets in accordance with the laws governing investments by fraternal benefit societies in effect in the provinces where said society is licensed to do business; provided that any foreign society permitted or seeking to do business in this state, which invests its funds in accordance with the laws of the state in which it is incorporated, shall be held to meet the requirements of this section for the investment of funds.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1951.]

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## CHAPTER 202.

### AN ACT AUTHORIZING AN INTERSTATE COMPACT RELATING TO FLOOD CONTROL OF THE CONNECTICUT RIVER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Interstate Compact.** The governor and council, on behalf of this state, are hereby authorized to enter into and execute a compact substantially in the following form with the states of Vermont, Massachusetts and Connecticut, by and through the commissioners or duly authorized representatives appointed or who may be appointed under or by virtue of a law of the legislatures of the respective states, and the legislature hereby signifies in advance its approval and ratification of such compact, so entered into, such approval and ratification to be effective as hereinafter set forth:

WHEREAS, the federal government exercises jurisdiction

over the nation's navigable rivers and their tributaries through passage of the flood control act of nineteen hundred and thirty-six and various other acts amendatory thereto; and

WHEREAS, these acts provide for construction by the United States of dams for flood control and, where feasible, in addition to flood control for storage of water to be used for irrigation, recreation or hydroelectric power or for any of these purposes; and

WHEREAS, the Connecticut is an interstate river and control of major floods on it can be obtained only by the construction of dams by the United States under authorization of the above mentioned acts; and

WHEREAS, the Commonwealth of Massachusetts and the states of Connecticut, New Hampshire and Vermont recognize that it is in the interest of their general welfare that the United States construct in the Connecticut River Valley a comprehensive system of local protection works and dams and reservoirs to control floods and prevent loss of life and property, the disruption of orderly processes and the impairment of commerce between the aforesaid states; and

WHEREAS, the United States has constructed dikes, flood walls and other local protection works at Hartford and East Hartford in the state of Connecticut, and at Springfield, Riverdale, West Springfield, Chicopee, Northampton, Holyoke, and Springdale, in the Commonwealth of Massachusetts and dams and reservoirs for the storage of flood waters at Knightville, Birch Hill and Tully in the Commonwealth of Massachusetts, at Surry Mountain in the state of New Hampshire and at Union Village in the state of Vermont and has reached agreements with the state wherein located for construction of dams and reservoirs for the storage of flood waters at Barre Falls in the Commonwealth of Massachusetts and at Ball Mountain and at Townshend in the state of Vermont; and

WHEREAS, the Congress has at various times authorized construction by the United States of other dams and reservoirs for the storage of flood waters in the Commonwealth of Massachusetts and in the states of New Hampshire and Vermont and has more recently instructed the corps of engineers to determine what additional local protection works and dams and reservoirs are required for a comprehensive system to control floods in the Connecticut River and its tributaries; and

WHEREAS, it is believed that such a comprehensive flood control system should include dams and reservoirs controlling flood run-off from approximately twenty-five (25%) per cent of the total drainage area of the Connecticut River above Hartford, Connecticut, and strategically located in reference to characteristics of tributaries and to damage centers; and

WHEREAS, construction by the United States of additional dams and reservoirs in the Commonwealth of Massachusetts and in the states of New Hampshire and Vermont, to complete such a comprehensive flood control system, will remove from the tax rolls of local governments of those states such property as is acquired by the United States and may work other hardships against the people of Massachusetts, New Hampshire and Vermont; and

WHEREAS, it is highly desirable that any flood control dam and reservoir constructed by the United States in the Connecticut River Valley have the approval of the state wherein it is located and that states benefiting from construction of such dam and reservoir make reimbursement for such loss of taxes and for such hardships; and

WHEREAS, a comprehensive system for the prevention of destructive floods and for water resources utilization in the Connecticut River Valley can best be accomplished by cooperation between the several states in the valley and by and through a common and joint agency of said several states;

Now, therefore, the said Commonwealth of Massachusetts and states of Connecticut, New Hampshire and Vermont do hereby enter into the following compact, to-wit:

### Article I

The principal purposes of this compact are: (a) to promote interstate comity among and between the signatory states; (b) to assure adequate storage capacity for impounding the waters of the Connecticut River and its tributaries for the protection of life and property from floods; (c) to provide a joint or common agency through which the signatory states, while promoting, protecting and preserving to each the local interest and sovereignty of the respective signatory states, may more effectively cooperate in accomplishing the object of flood control and water resources utilization in the basin of the Connecticut River and its tributaries.

### Article II

There is hereby created "The Connecticut River Valley Flood Control Commission," hereinafter referred to as the "commission," which shall consist of twelve members, three of whom shall be residents of the Commonwealth of Massachusetts; three of whom shall be residents of the state of Connecticut; three of whom shall be residents of the state of New Hampshire; and three of whom shall be residents of the state of Vermont.

The members of the commission shall be chosen by their respective states in such manner and for such term as may be fixed and determined from time to time by the law of each of said states respectively by which they are appointed. A member of the commission may be removed or suspended from office as provided by the law of the state for which he shall be appointed, and any vacancy occurring in the commission shall be filled in accordance with the laws of the state wherein such vacancy exists.

A majority of the members from each state shall constitute a quorum for the transaction of business, the exercise of any of its powers or the performance of any of its duties, but no action of the commission shall be binding unless at least two of the members from each state shall vote in favor thereof.

The compensation of members of the commission shall be fixed, determined, and paid by the state which they respectively represent. All necessary expenses incurred in the performance of their duties shall be paid from the funds of the commission.

The commission shall elect from its members a chairman, vice-chairman, clerk and treasurer. Such treasurer shall furnish to the commission, at its expense, a bond with corporate surety, to be approved by the commission, in such amount as the commission may determine, conditioned for the faithful performance of his duties.

The commission shall adopt suitable by-laws and shall make such rules and regulations as it may deem advisable not inconsistent with laws of the United States, of the signatory states or with any rules or regulations lawfully promulgated hereunder.

The commission shall make an annual report to the governor and legislature of each of the signatory states, setting forth

in detail the operations and transactions conducted by it pursuant to this compact.

The commission shall keep a record of all its meetings and proceedings, contracts and accounts, and shall maintain a suitable office, where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such regulations as the commission shall determine.

### Article III

The commission shall constitute a body, both corporate and politic, with full power and authority: (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to appoint and employ such agents and employees as may be required in the proper performance of the duties hereby committed to it and to fix and determine their qualifications, duties and compensation; (4) to enter into such contracts and agreements and to do and perform any and all other acts, matters and things as may be necessary and essential to the full and complete performance of the powers and duties hereby committed to and imposed upon it and as may be incidental thereto; (5) to have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of any of said states, concurred in by the legislatures of the other states and by the Congress of the United States.

The commission shall make, or cause to be made, such studies as it may deem necessary, in cooperation with the corps of engineers and other federal agencies, for the development of a comprehensive plan for flood control and for utilization of the water resources of the Connecticut River Valley.

The commission shall not pledge the credit of the signatory states or any of them.

### Article IV

The signatory state wherein is located the site of each of the following dams and reservoirs agrees to the construction by the United States of each such dam and reservoir in accordance with authorization by the Congress:

In the Commonwealth of Massachusetts, (1) at Barre Falls on the Ware River controlling a drainage area of approximately fifty-seven (57) square miles and providing flood

storage of approximately eight (8) inches of run-off from said drainage area.

In the state of Vermont, (1) at West Townshend on the West River controlling a net drainage area of approximately one hundred six (106) square miles and providing flood control storage of approximately six (6) inches of run-off from said drainage area.

(2) At Ball Mountain on the West River controlling a net drainage area of approximately one hundred thirty-two (132) square miles and providing flood control storage of approximately six (6) inches of run-off from said drainage area.

(3) At North Hartland on the Ottauquechee River controlling a drainage area of approximately two hundred twenty-two (222) square miles and providing flood control storage for approximately six (6) inches of run-off from said drainage area.

(4) At Groton Pond on the Wells River controlling a drainage area of approximately seventeen and three-tenths (17.3) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(5) At Victory on the Moose River controlling a drainage area of approximately sixty-six (66) square miles and providing flood control storage for approximately seven (7) inches of run-off from said drainage area.

(6) In Bloomfield on the Nulhegan River controlling a drainage area of approximately seventy (70) square miles and providing flood control storage for approximately nine (9) inches of run-off from said drainage area.

In the state of New Hampshire, (1) at South Keene on the Otter Brook, tributary of the Ashuelot River, controlling a drainage area of approximately forty-seven (47) square miles and providing flood control storage for approximately seven (7) inches of run-off from said drainage area.

(2) At Walpole on the Cold River controlling a drainage area of approximately one hundred one (101) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(3) At Bethlehem Junction on the Ammonoosuc River controlling a drainage area of approximately ninety (90)



square miles and providing flood control storage for approximately six (6) inches of run-off from said drainage area.

(4) At Franconia on the Ammonoosuc River controlling a drainage area of approximately thirty (30) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(5) At Swiftwater on the Wild Ammonoosuc River controlling a drainage area of approximately fifty-seven (57) square miles and providing flood control storage for approximately ten (10) inches of run-off from said drainage area.

### Article V

The Commonwealth of Massachusetts agrees to reimburse the state of New Hampshire fifty (50) per cent and the state of Vermont fifty (50) per cent of the amount of taxes lost to their political subdivisions by reason of ownership by the United States of lands, rights or other property therein for the flood control dams and reservoirs at Surry Mountain in New Hampshire and at Union Village in Vermont.

The state of Connecticut agrees to reimburse the Commonwealth of Massachusetts forty (40) per cent, the state of New Hampshire forty (40) per cent and the state of Vermont forty (40) per cent of the amount of taxes lost to their political subdivisions by reason of ownership by the United States of lands, rights or other property therein for the flood control dams and reservoirs at Tully, at Knightville and at Birch Hill in Massachusetts, at Surry Mountain in New Hampshire and at Union Village in Vermont.

The Commonwealth of Massachusetts agrees to reimburse the state of New Hampshire fifty (50) per cent and the state of Vermont fifty (50) per cent of the amount of taxes lost to their political subdivisions by reason of acquisition and ownership by the United States of lands, rights or other property therein for construction in the future of any flood control dam and reservoir specified in Article IV and also for any other flood control dam and reservoir hereafter constructed by the United States in the Connecticut River Valley.

The state of Connecticut agrees to reimburse the Commonwealth of Massachusetts forty (40) per cent, the state of New Hampshire forty (40) per cent and the state of Vermont forty (40) per cent of the amount of taxes lost to their political subdivisions by reason of acquisition and ownership

by the United States of lands, rights or other property therein for construction in the future of any flood control dam and reservoir specified in Article IV and also for any other flood control dam and reservoir hereafter constructed by the United States in the Connecticut River Valley.

Annually, not later than November first of each year, the commission shall determine the loss of taxes resulting to political subdivisions of each signatory state by reason of acquisition and ownership therein by the United States of lands, rights or other property in connection with each flood control dam and reservoir for which provision for tax reimbursement has been made in the four paragraphs next above. Such losses of taxes as determined by the commission shall be based on the tax rate then current in each such political subdivision and on the average assessed valuation for a period of five years prior to the acquisition by the United States of such property, provided that whenever a political subdivision wherein a flood control dam and reservoir or portion thereof is located shall have made a general revaluation of property subject to the annual municipal taxes of such subdivision, the commission may use such revaluation for the purpose of determining the amount of taxes for which reimbursement shall be made. Using the percentage of payment agreed to in said four paragraphs, the commission shall then compute the sum, if any, due from each signatory state to each other signatory state and shall send a notice to the treasurer of each signatory state setting forth in detail the sums, if any, each is to pay to and to receive from each other signatory state in reimbursement of tax losses.

Each signatory state on receipt of formal notification from the commission of the sum which it is to pay in reimbursement for tax losses shall, not later than July first of the following year, make its payment for such tax losses to the signatory state wherein such loss or losses occur, except that in case of the first annual payment for tax losses at any dam or reservoir such payment shall be made by payor states not later than July first of the year in which the next regular session of its legislature is held.

Payment by a signatory state of its share of reimbursement for taxes in accordance with formal notification received from the commission shall be a complete and final discharge of all liability by the payor state to the payee state for each flood

control dam and reservoir within the payee state for the time specified in such formal notification. Each payee signatory state shall have full responsibility for distributing or expending all such sums received, and no agency or political subdivision shall have any claim against any signatory state other than the payee state, nor against the commission relative to tax losses covered by such payments.

Whenever a state which makes reimbursement for tax losses and a state which receives such reimbursement from it shall agree, through the commission, on a lump sum payment in lieu of annual payments and such lump sum payment has been made and received, the requirement that the commission annually shall determine the tax losses, compute sums due from each state and send notice thereof to the treasurer of each state shall no longer apply to the aforesaid states with respect to any flood control dam and reservoir for which lump sum payment has been made and received.

The Commonwealth of Massachusetts and the state of Connecticut each agrees to pay its respective share in reimbursement, as determined by the commission under the procedure following, for economic losses and damages occurring by reason of ownership of property by the United States for construction and operation of a flood control dam and reservoir at any site specified in Article IV, and for any other flood control dam and reservoir constructed hereafter by the United States in the Connecticut River Valley, provided, however, that no reimbursement shall be made for speculative losses and damages or losses or damages for which the United States is liable.

On receipt of information from the chief of engineers that request is to be made for funds for the purpose of preparing detailed plans and specifications for any flood control dam and reservoir proposed to be constructed in the Connecticut River Valley, including those specified in Article IV, the commission shall make an estimate of the amount of taxes which would be lost to and of economic losses and damages which would occur in political subdivisions of the signatory state wherein such dam and reservoir would be located, wholly or in part, by reason of acquisition and ownership by the United States of lands, rights or other property for the construction and operation of such flood control dam and reservoir and shall decide whether the flood control benefits to be derived in the

signatory states from such flood control dam and reservoir, both by itself and as a unit of a comprehensive flood control plan, justifies, in the opinion of the commission, the assumption by signatory states of the obligation to make reimbursement for loss of taxes and for economic losses and damages. Such estimate and decision shall thereafter be reviewed by the commission at five-year intervals until such time as the United States shall have acquired title to the site of such flood control dam or plans for its construction are abandoned. The commission shall notify the governor, the members of the United States Senate and the members of the United States House of Representatives from each signatory state and the chief of engineers as to the commission's decision and as to any change in such decision.

On receipt of information from the chief of engineers that any flood control dam and reservoir is to be constructed, reconstructed, altered or used for any purpose in addition to flood control, including those flood control dams and reservoirs heretofore constructed and those specified in Article IV, the commission shall make a separate estimate of the amount of taxes which would be lost to and of economic losses and damages which would occur in political subdivisions of the signatory state wherein such dam and reservoir would be located, wholly or in part, by reason of acquisition and ownership by the United States of lands, rights or other property for the construction and operation of such dam and reservoir in excess of the estimated amount of taxes which would be lost and of the economic losses and damages which would occur if the dam were constructed and operated for flood control only and the commission shall decide the extent to which, in its opinion, the signatory states would be justified in making reimbursement for loss of taxes and for economic losses and damages in addition to reimbursement for such dam and reservoir if constructed and used for flood control only. Such estimate and decision shall thereafter be reviewed by the commission at five-year intervals until such time as such dam and reservoir shall be so constructed, reconstructed, altered or used or plans for such construction, reconstruction, alteration or use are abandoned. The commission shall notify the governor, the members of the United States Senate and the members of the United States House of Representatives from each signatory state as to the commission's decision and as to any change in such decision.

Within thirty days after acquisition by the United States of the site of any flood control dam the commission shall proceed to make a final determination of economic losses and damages occasioned by such dam and reservoir. The commission shall not include in such determination either speculative losses and damages or losses and damages for which the United States is liable.

The commission shall compute the share the Commonwealth of Massachusetts and the state of Connecticut shall each pay to the state wherein such dam or reservoir is located by multiplying the sum of such losses and damages, as previously determined, by the percentage of flood control benefits which the Commonwealth of Massachusetts and the state of Connecticut each receives, in the allocation by states, of the flood control benefits resulting from the dam and reservoir.

The commission shall send a notice to the treasurer of the Commonwealth of Massachusetts and to the treasurer of the state of Connecticut setting forth in detail the sum, if any, each is to pay to the state wherein such dam and reservoir is located in reimbursement for economic losses and damages and shall also send such notice to the treasurer of the state wherein such dam and reservoir is located.

The Commonwealth of Massachusetts and the state of Connecticut on receipt of such formal notification by the commission shall each pay its share of such economic losses or damages to the signatory states wherein such losses or damages occur. Full payment by either state of the sum specified in such formal notification from the commission as to the amount of economic losses and damages for which such state is to make reimbursement shall be a complete and final discharge of all liability by the payor state to the payee state for economic losses and damages for each flood control dam and reservoir within the payee state designated in such formal notification. Each payee signatory state shall have full responsibility for distributing or expending all such sums received and no agency, political subdivision, private person, partnership, firm, association or corporation shall have any claim against any signatory state other than the payee state, nor against the commission relative to such economic losses and damages.

A signatory state may, in agreement with the commission and the chief of engineers, acquire title or option to acquire

title to any or all lands, rights or other property required for any flood control dam and reservoir within its boundaries and transfer such titles or options to the United States. Whenever the fair cost to said signatory state for such titles or options, as determined by the commission, is greater than the amount received therefor from the United States, the Commonwealth of Massachusetts and the state of Connecticut shall each pay its share of such excess cost to said signatory state, such share to be determined by the commission in accordance with procedure herein contained for determining reimbursement for economic losses and damages.

Whenever the commission shall not agree, within a reasonable time or within sixty days after a formal request from the governor of any signatory state, concerning reimbursement for loss of taxes or for economic losses and damages at any flood control dam and reservoir heretofore or hereafter constructed by the United States in the Connecticut River Valley, or concerning the extent, if any, to which reimbursement shall be made for additional loss of taxes and for additional economic losses and damages caused by construction, reconstruction, alteration or use of any such dam for purposes other than flood control, the governor of each signatory state shall designate a person from his state as a member of a board of arbitration, hereinafter called the board, and the members so designated shall choose one additional member who shall be chairman of such board. Whenever the members appointed by the governors to such board shall not agree within sixty days on such additional member of the board, the governors of such signatory states shall jointly designate the additional member. The board shall by majority vote decide the question referred to it and shall do so in accordance with the provisions of this compact concerning such reimbursement. The decision of the board on each question referred to it concerning reimbursement for loss of taxes and for economic losses and damages shall be binding on the commission and on each signatory state, notwithstanding any other provision of this compact.

#### Article VI

Nothing contained in this compact shall be construed as a limitation upon the authority of the United States.

### Article VII

The signatory states agree to appropriate for compensation of agents and employees of the commission and for office, administrative, travel and other expenses on recommendation of the commission subject to limitations as follows: The Commonwealth of Massachusetts obligates itself to not more than seventy-five hundred (7500) dollars in any one year, the state of New Hampshire obligates itself to not more than one thousand (1000) dollars in any one year, the state of Vermont obligates itself to not more than one thousand (1000) dollars in any one year and the state of Connecticut obligates itself to not more than sixty-five hundred (6500) dollars in any one year.

### Article VIII

Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

### Article IX

This compact shall become operative and effective when ratified by the Commonwealth of Massachusetts and the states of New Hampshire, Vermont and Connecticut and approved by the Congress of the United States. Notice of ratification shall be given by the governor of each state to the governors of the other states and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory states of approval by the Congress of the United States.

#### **2. Procedure for Notification and Recordation of Compact.**

The said agreement or compact when ratified by the legislatures of each of said states and approved by the Congress of the United States, shall thereupon become operative and effective. The governor is authorized and directed forthwith to notify the governors, respectively, of the said states and the President of the United States, that the state of New Hampshire on its part has approved and ratified said compact or agreement. Upon its execution in quintuplicate by the commissioners or representatives of each of said states as aforesaid, a duly executed original thereof shall be filed in the office of the secretary of state of the state of New Hamp-

shire, together with the original notice of ratification received from the governors of the remaining signatory states, and such notice, if any, as may be received from the President or the Congress of the United States, signifying the approval of such Congress thereto.

**3. Appointment of Commission.** Within thirty days after the aforesaid agreement or compact shall have become effective as provided in section 2 of this act, the governor shall, with advice and consent of the council, appoint three members of the Connecticut River Valley Flood Control Commission, one of whom shall serve until the first day of May, nineteen hundred and fifty-two, and one of whom shall serve until the first day of May, nineteen hundred and fifty-three and one of whom shall serve until the first day of May, nineteen hundred and fifty-four. In the month of April, nineteen hundred and fifty-two, and each year thereafter, the governor, by and with the advice and consent of the council, shall appoint one member of the said commission whose term of office shall be three years from and after the first day of May of the year in which he is appointed.

**4. Vacancies.** In the event of a vacancy in the commission the governor shall, with the advice and consent of the council, appoint a member to serve only for the unexpired term. Any member of the commission shall be eligible for reappointment.

**5. Compensation.** Each commissioner designated or appointed by the governor and council, who, while such commissioner, holds no salaried state office, shall be paid by the state as compensation the sum of thirty dollars for each day's service performed in connection with his duties as such commissioner but not to exceed six hundred dollars in any fiscal year. Such compensation shall be paid by the state treasurer, upon warrant of the governor, with the advice and consent of the council, upon bills approved by the chairman or vice chairman and treasurer of the commission. All commissioners shall be entitled to their actual expenses incurred in the performance of their duties as such.

**6. Appropriation.** The sum of one thousand dollars is hereby appropriated for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the purpose of carrying out the provisions of Article VII of said compact or agreement relating to payment by the state to



the Connecticut River Valley Flood Control Commission of the proportionate share of the state in the expenses of said commission. For the purposes of section 5, an additional sum of one thousand eight hundred dollars is appropriated for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved August 2, 1951.]

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## CHAPTER 203.

### AN ACT AMENDING THE LAWS AFFECTING THE PUBLIC SERVICE COMMISSION AND PERSONS AND COMPANIES SUBJECT TO ITS JURISDICTION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Application of Statutes.** Wherever in the following sections the words "public service commission" are used, they shall be deemed to apply and refer to the public utilities commission, hereby established: section 9, chapter 56 of the Revised Laws; sections 29, 30, 31 and 32 of chapter 83 of the Revised Laws; section 12, chapter 177 of the Revised Laws; section 1, chapter 295 of the Revised Laws; section 7, chapter 298 of the Revised Laws; section 20, chapter 298 of the Revised Laws.

**2. Zoning for Public Utilities.** Amend section 52 of chapter 51 of the Revised Laws by striking out said section and inserting in place thereof the following: **52. Purposes in View.** Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fires, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for partic-

ular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality. A regulation made under this subdivision shall not apply to existing structures nor to the existing use of any building, but it shall apply to any alteration of a building for use for a purpose or in a manner substantially different from the use to which it was put before alteration. Structures used or to be used by a public utility may be exempted from the operation of any regulation made under this subdivision, if upon petition of such utility the public utilities commission shall after a public hearing decide that the present or proposed situation of the structure in question is reasonably necessary for the convenience or welfare of the public.

**3. Change of Name.** Amend the definition of commission in section 2, chapter 56 of the Revised Laws, by striking out said definition and inserting in place thereof the following: "Commission," the public utilities commission, so that said section as amended shall read as follows: **2. Definitions.** Unless the context otherwise requires, the following words, as used herein, shall have the following meanings:

"Commission," the public utilities commission.

"Utility," any public utility engaged in the manufacture, distribution, or sale of gas, electricity, or water in the state.

"Municipality," and city, town, or village district within the state.

**4. Acquisition of Water Utilities.** Amend section 8 of chapter 56 of the Revised Laws by striking out the same and inserting in place thereof the following: **8. Agreement.** The mayor and council of a city, the selectmen of a town, or the commissioners of a village district, may negotiate and agree with the utility upon the price to be paid for such plant and property; provided, however, that such agreement shall not be binding upon any city until ratified by a vote of the city council or upon any town or village district until ratified by the voters of said town or village district in the manner provided in section 5. In the case of water utilities the agreement may be ratified by a majority vote in a town or village district in the manner otherwise provided in section 5. Such vote shall be had within ninety days of the date of the filing of the reply provided in section 7.

5. **Necessity for Application.** Amend section 7 of chapter 181 of the Revised Laws by striking out said section and inserting in place thereof the following: **7. Common Carriers, Applications, Orders.** No person shall engage in the business of operating a boat as a common carrier of passengers or property operating on a regular route and schedule between points on the public waters of the state unless upon order of the commission authorizing such operations. Application for authorization required herein shall be made in writing to the commission and shall contain such information as the commission shall require. A commission order will issue to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing and able properly to perform the service proposed and to conform to the provisions of this chapter and the rules and regulations issued by the commission thereunder, and that the proposed service is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.

6. **Notice to Commission.** Amend chapter 181 of the Revised Laws by inserting after section 8 the following new section: **8-a. Change in Rates, Charges and Schedules.** Unless the commission otherwise orders, no change shall be made in any rate, fare, charge or price, which have been filed or published by a common carrier by water in compliance with the requirements hereof, except after thirty days' notice to the commission and such notice to the public as the commission shall direct.

7. **Commercial Outboard Motors.** Amend section 11 of chapter 181 of the Revised Laws by inserting before the word "outboard" in the fifth line the word, commercial, so that said section, as amended, shall read as follows: **11. Commercial Boats, Penalty.** The commission, after hearing, may revoke or suspend the certificate of any captain, master, pilot or engineer of any commercial boat for violation of any section of this chapter or the rules and regulations prescribed thereunder. Any person who shall use any commercial boat or commercial outboard motor on any public waters in this state without a certificate of inspection, or shall act as captain, master, pilot, engineer or operator on any such boat or launch without having been examined and certified in that capacity, or

shall so act when his certificate has been revoked or suspended, or who shall violate any rule or regulation prescribed by the commission with reference to the inspection, equipment, or operation of such boats or launches, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

**8. Cooperative Marketing Associations.** Amend section 56 of chapter 273 of the Revised Laws by striking out said section and inserting in place thereof the following: **56. Jurisdiction of Public Utilities Commission.** Cooperative marketing associations organized for purposes of rural electrification shall be subject to the jurisdiction of the public utilities commission.

**9. Repeal.** Amend chapter 285 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

## Chapter 285

### Definition of Terms

**1. Commission.** The term commission, as used in this title, means the public utilities commission.

**2. Public Utility.** The term public utility shall include every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court, except municipal corporations operating within their corporate limits, owning, operating or managing any railroad or bus line for the common carriage of passengers, or carrying on a public express business over the line of any railroad, any plant or equipment or any part of the same for the conveyance of telephone or telegraph messages or for the manufacture or furnishing of light, heat, power or water for the public, or in the generation, transmission or sale of electricity ultimately sold to the public or owning or operating any toll bridge or toll road, or owning or operating any steam or other power boat engaged in the common carriage of passengers or freight, or owning or operating any pipe line, including pumping stations, storage depots and other facilities, for the transportation, distribution or sale of gas, crude petroleum, refined petroleum products, or combinations thereof, cooperative marketing associations, organized for purposes of rural electrification, or any other business except as herein-

after exempted, over which at the date of this act the public service commission exercises jurisdiction.

**3. Railroad.** The term railroad shall include every railroad and street railway, by whatever power operated, which is open to public use in the conveyance of persons or property for a compensation, also all bridges, grade crossings, underpasses, switches, spurs, tracks, equipment, stations, and terminals and other facilities and property of every kind whatever, used, operated, or owned by or in connection with any such railroad or railway.

**4. Water Companies, When Not Public Utilities.** No such corporation, company, association, joint stock association, partnership, or person shall be deemed to be a public utility by reason of the ownership or operation of any water system or part thereof, if the whole of such water system shall supply a less number of consumers than ten, each family, tenement, store, or other establishment being considered a single consumer.

**5. Exemption of Manufacturing Establishments Selling Surplus Electricity.** The commission may exempt any person or corporation engaged in manufacturing and carrying on in this state a manufacturing establishment the product of which is something besides power, and producing electricity primarily for the operation of such establishment or incidental thereto, from any or all provisions of this title, except those directly relating to rates and service, whenever the commission may find such exemption consistent with the public good.

**10. Repeal.** Amend chapter 286 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

## Chapter 286

### The Public Utilities Commission Appointment, Qualification, Etc.

**1. Commission, Term.** There shall be a public utilities commission, composed of three competent persons. Their term of office shall be for six years and until their successors are appointed and qualified.

**2. Appointment.** In each odd numbered year the governor, with the advice and consent of the council, shall appoint

one commissioner to take office on the first day of July of that year. Vacancies shall be filled in like manner for the unexpired term.

**3. Chairman.** The chairman of the commission shall be appointed and commissioned as such.

**4. Disqualifications.** No person who owns stock in, or is employed by or otherwise pecuniarily interested in any public utility in this state, or any affiliate thereof shall be appointed upon said commission.

**5. Disqualification After Appointment.** If after his appointment any commissioner shall voluntarily become interested pecuniarily in any such public utility, or affiliate, he shall be removed by the governor and council, and if he shall become so interested otherwise than voluntarily, and shall not within a reasonable time thereafter divest himself of such interest, he shall be so removed.

**6. Removal.** The governor and council may at any time remove any commissioner for inefficiency, neglect of duty or malfeasance in office; but no commissioner shall be removed without a hearing after notice in writing of the charges against him.

**7. Prohibited Service.** No member of the commission shall render any professional service for any public utility in this state, or any affiliate thereof, or act as attorney or render professional service against any such public utility or affiliate; nor shall he be a member of a firm which renders any such service; nor shall he directly or indirectly be a party to any contract with any such public utility, except a contract for the transportation of telephone or telegraph messages, or of passengers or property, or a contract for the purchase of water, gas or electricity or for other similar service.

**8. Offices Prohibited.** No commissioner shall hold any national or other state office of profit except the office of justice of the peace or notary public.

**9. Violation of Provisions.** If any commissioner shall violate any provision of the two preceding sections he may be removed by the governor and council.

**10. Compensation.** Each commissioner shall receive an annual salary of six thousand five hundred dollars, plus such automatic annual increases as are provided by the Laws of

1947, chapter 250, section 2, and reasonable expenses, including transportation, subject to the approval of the governor and council.

**11. Expenditures.** In the exercise of the authority and performance of the duties prescribed by law, the commission shall have the authority, with the approval of the governor and council and within the limits of the appropriation for such purpose, to employ and fix the compensation of such regular staff, including experts, as it shall deem necessary. Should emergency require, it may in addition to the sums appropriated for its use by the legislature expend such further sums as the governor and council may approve, such further sums to be paid out of any money in the treasury not otherwise appropriated.

**12. Documents.** Any record, order, certificate, or other process, document, or paper, issued or made by the commission may be signed by such member of the staff as the commission may authorize for such purpose.

**13. Seal.** The commission shall have an official seal in such form as the commission may prescribe, and all copies of official documents and orders filed or deposited with or made by said commission, duly certified and authenticated by said seal, shall be received in evidence in any court in like manner as originals.

**14. Office.** The commission shall be provided with an office in which its records, documents and books shall be kept, and with a suitable room in which it may hold hearings.

**15. Quorum.** A majority of the commission shall constitute a quorum to transact business, and any hearing or investigation may be held or conducted by two commissioners or by a single commissioner; but no order, rule or regulation shall be made and promulgated except by the full commission or a majority thereof.

**16. Request for Full Commission.** No hearing or investigation, except in accident cases, shall be held or conducted by a single commissioner if any party whose interests may be affected shall, five days before the date of hearing, file a request in writing that the same be held or conducted by the full commission, or a majority thereof. If no such request is filed, the commission may assign one of its members or appoint a

qualified member of its staff as examiner to hear the parties, report the facts, and make recommendations to the commission.

### **Disqualification of Member and Special Commissioner**

**17. Disqualification.** No commissioner shall sit upon the hearing of any question which the commissioner is to decide in a judicial capacity who would be disqualified from any cause, except exemption from service and knowledge of the facts involved gained in the performance of his official duties, to act as a juror upon the trial of the same matter in an action of law.

**18. Special Commissioner.** If at any time a commissioner shall be disqualified or unable to perform the duties of his office, the governor upon application of the commission may, with the consent of the council, appoint a special commissioner to act in his place during the period of the commissioner's disqualification or inability to act.

**19. Compensation.** The commissioner so appointed shall be paid a reasonable compensation per day for his services, and his necessary expenses, to be allowed by the governor and council and paid from the state treasury.

### **Investigation of Interstate Matters**

**20. Investigations.** The commission may, upon complaint, investigate all existing or proposed interstate rates, fares, charges, classifications and rules and regulations relating thereto, where any act thereunder may take place within this state.

**21. Petitioners, etc.** When the same are found to be, in the opinion of the commission, unjust, unreasonable, unjustly discriminatory or otherwise in any respect in violation of the provisions of the act to regulate commerce, or of any other act of congress, or in conflict with the rules and orders of the interstate commerce commission, or of any other department of the federal government, the commission may apply for relief by petition or otherwise to the interstate commerce commission, or to any other department of the federal government, or to any court of competent jurisdiction.



### Reports of Commission

**22. Biennial.** The commission shall publish and file with the secretary of state a report to the governor and the legislature not later than December first in the year preceding the biennial session of the legislature. Such report shall contain such account of its proceedings for the two years last preceding, and such suggestions and recommendations as to needed legislation or as to other matters affecting public utilities, as the commission may desire to submit.

**23. Publications.** The commission may, from time to time, subject to the approval of the governor and council, publish such of its reports and orders and such statistics and other information concerning public utilities doing business in this state as the commission may deem to be of public interest.

### Commission Conferences

**24. Co-operation with Other Agencies.** The commission may confer and co-operate with any other state, federal, or local agency in any matter relating to its duties.

**11. Repeal.** Amend chapter 287 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 287

#### Complaints to, and Proceedings before, the Commission Complaints and Investigations

**1. Complaint Against Public Utilities.** Any person may make complaint to the commission, by petition setting forth in writing any thing or act claimed to be done or omitted to be done by any public utility in violation of any provision of law, or of the terms and conditions of its franchises or charter, or of any order of the commission.

**2. Order.** Thereupon the commission shall cause a copy of said complaint to be forwarded to the public utility complained of, which may be accompanied by an order, requiring that the matters complained of be satisfied, or that the charges be answered in writing within a time to be specified by the commission.

**3. Reparation.** If the public utility complained of shall make reparation for any injury alleged and shall cease to commit or to permit the violation of law, franchise, or order

charged in the complaint, and shall notify the commission of that fact before the time allowed for answer, the commission shall not be required to take any further action upon the charges.

**4. Investigation.** If the charges be not thus satisfied, and it shall appear to the commission that there are reasonable grounds therefor, it shall investigate the same in such manner and by such means as it shall deem proper, and, after notice and hearing, take such action within its powers as the facts justify.

**5. Independent Inquiry.** The commission of its own motion or upon petition of a public utility may investigate or make inquiry in a manner to be determined by it as to any rate charged or proposed or as to any act or thing done, or omitted to be done or proposed by any public utility; and the commission shall make such inquiry in regard to any rate charged or proposed or to any act or thing done or omitted to be done or proposed by any such utility in violation of any provision of law or order of the commission.

**6. Inspection.** It may at any time personally, or by its experts or agents, inspect the property, works, system, plant, devices, appliances and methods used by any public utility, or its books, papers and records.

**7. Authority to Inspect.** Any expert or agent of the commission, who shall make a demand on behalf of the commission to be allowed to inspect as aforesaid, shall produce written authority to make such inspection signed by the clerk or assistant clerk or some member of the commission.

### **Proceedings before the Commission**

**8. Rules, etc.** The commission shall have power to adopt and publish rules to govern its proceedings, and to regulate the mode and manner of all investigations and hearings before it, and all hearings shall be open to the public.

**9. Evidence.** In any such investigation or hearing the commission shall not be bound by the technical rules of evidence.

**10. Summons; Oath.** The commission shall have power to subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and to

compel, by subpoena *duces tecum*, the production of any accounts, books, contracts, records, documents, memoranda and papers of any kind whatever.

**11. Witnesses.** Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

**12. Violation.** Any person who wilfully shall fail or refuse to attend to testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records, if in his or its power so to do, in obedience to the subpoena of the commission, shall be subject to the provisions of sections 17 and 18 of chapter 370 of the Revised Laws.

**13. Fees.** When any such summons shall be endorsed by the clerk, or assistant clerk, or by a commissioner, as follows, "Legal fees of witnesses guaranteed by the State," advance payment of fees shall not be required, but any witness served with such summons shall appear as directed therein as a witness for the state, and his legal fees therefor shall be paid out of any appropriation for the use of the commission available for the purpose.

**14. Sworn Copies.** In lieu of requiring production of originals by subpoena *duces tecum* the commission may require sworn copies of any such books, records, contracts, documents and papers or parts thereof be filed with it.

**15. Specific Answers.** The commission may also require any public utility to make specific answers to questions upon which the commission may need information.

**16. Testimonial Privilege.** No person shall be excused from testifying or from producing any book or paper in any investigation or inquiry by or upon any hearing before the commission, when ordered to do so by the commission, upon the ground that the testimony or evidence, book or document required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or a account of any act, transaction, matter or thing concerning which under oath, after claiming his privilege, he shall by

order of the commission have testified or produced documentary evidence.

**17. Perjury.** No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

**18. Corporate Immunity.** Nothing herein contained shall give to any corporation immunity of any kind.

**19. Independent Investigation.** In any case in which the commission may hold a hearing it may, before or after such hearing, make such independent investigation as in its judgment the public good may require; provided, that, whenever such investigation shall disclose any facts which the commission shall intend to consider in making any decision or order, such facts shall be stated and made a part of the record, and any party whose rights may be affected shall be afforded a reasonable opportunity to be heard with reference thereto or in denial thereof.

**20. Questions of Law.** The commission may at any time reserve, certify and transfer to the supreme court for decision any question of law arising during the hearing of any matter before the commission.

**21. Rehearings and Appeals.** The procedure for rehearings and appeals shall be that prescribed by chapter 414, except as herein otherwise provided.

**22. Common Carriers.** Whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that any part of any public utility operating as a common carrier of passengers or freight within the state reasonably requires alteration or reconstruction, or that the regulations, practices, equipment, appliances or service of any such public utility in respect to transportation of persons or property within the state are unjust, unreasonable, unsafe, improper or inadequate, the commission shall determine the reconstruction or alteration reasonably required, or the just, reasonable, safe, adequate and proper regulations, practices, equipment, appliances and service thereafter to be in force or to be provided, and shall fix and prescribe the same by order to be served upon every such public utility to be bound thereby.

**23. Effect of Orders.** Thereafter it shall be the duty of every such public utility to observe and obey every require-

ment of such order so served upon it, and to do everything necessary or proper in order to secure compliance with, and observance of, the same, by all the officers, agents and employees.

**24. Railroads, Service.** No railroad shall tear up and remove or discontinue the use of any portion of its track, other than spur, industrial or storage tracks, or curtail any part of its service to the public afforded by its regular passenger trains or at its stations without notice to the commission and such notice to the public as the commission may direct. Upon complaint or upon its own motion, the commission may investigate the reasonableness of the proposed action of the railroad and, after hearing, may determine whether the proposed action is consistent with the public good, and may by order forbid the proposed removal of tracks or prescribe the service which shall thereafter be rendered. If the commission so directs, no removal of tracks or change in the service rendered by the railroad shall be made pending the decision of the commission in any such proceedings; provided, however, that such obligation to continue the service shall be operative for a period not exceeding sixty days after the close of such hearings as may be held by the commission.

**25. Duration, Rates.** The rates, fares and charges fixed and allowed by the commission to be charged and collected by any public utility shall remain in effect until altered by a subsequent order of the commission or until a new schedule of rates, fares and charges shall have been filed or published by the utility in accordance with chapter 292, section 3.

**26. Other Orders.** Except as otherwise herein provided, every order of the commission requiring any public utility to do or not to do anything shall take effect at the time therein specified, and shall continue in effect for such period as shall be therein designated, and if no period shall be designated, until the same shall be altered, amended, suspended, annulled, set aside or otherwise modified by the commission or the court.

**27. Notice.** Orders of the commission granting authority or permission to do any act or thing need not be served; but the exercise in any part of the authority or permission granted in any such order shall charge the party so exercising such authority or permission with full knowledge of said

order; and such party shall comply with all requirements thereof, and fully conform thereto.

**28. Altering.** At any time after the making and entry thereof, the commission may, after notice and hearing, alter, amend, suspend, annul, set aside or otherwise modify any order made by it.

**29. Orders for Reparation.** Whenever complaint has been made to the commission covering any rate, fare, charge or price demanded and collected by any public utility, and the commission has found, after hearing and investigation, that an illegal or unjustly discriminatory rate, fare, charge or price has been collected for any service, the commission may order the public utility which has collected the same to make due reparation to the person who has paid the same, with interest from the date of the payment. Such order for reparation shall cover only payments made within two years before the date of filing the petition for reparation.

**30. Waiver of Hearing.** Such order may be made without formal hearing whenever the public utility affected shall assent in writing thereto, or file or join in a petition therefor.

### Service of Orders

**31. Upon Agent.** Every order required to be served shall, where the public utility affected has an agent in the city of Concord, appointed as provided herein, be served upon said agent by giving a certified copy thereof to him in hand, or by leaving a like copy at his office or residence.

**32. If No Agent.** If no agent has been so appointed service may be made by giving a like copy to any person upon whom service could be made in an action at law against such public utility, or by sending the same by mail, postage prepaid, addressed to such public utility at any usual post office address of the same.

**33. Appointment of Agent.** Any public utility may, by writing filed with the commission, appoint an agent who shall reside and have an office in the city of Concord, upon whom service for and on its behalf may be made by the commission. Such appointment may at any time be revoked or a new appointment made by like writing similarly filed.

### Reparations, Fees, and Costs

**34. Failure to Pay.** Any public utility ordered to make reparation hereunder shall conform to said order and make payment as required therein. Upon failure to make such payment upon demand, the amount ordered paid may be recovered with interest in an action of debt brought by the person to whom payment was ordered, except that, in the case of costs ordered paid to the commission, suit shall be brought in the name of the state. Like action may also be brought to recover fees due the commission.

**35. Costs.** In any action brought to recover costs, fees or reparation ordered the plaintiff shall be entitled to tax as costs all of his necessary expenses in the action, including reasonable attorney's fees.

**36. Fees for Copies.** The commission may fix and collect reasonable fees for copies of its records, certified or otherwise, for copies of testimony taken before the commission and for its publications.

**37. Expense of Investigation.** Whenever any investigation shall be necessary to enable the commission to pass upon any petition for authority to issue stocks, bonds, notes, or other evidence of indebtedness, for authority to operate as a public utility, to make extensions into new territory, to discontinue service, to condemn property for flowage rights and dam construction, or for authority to sell, consolidate, merge, transfer, or lease the plant, works, or system of any public utility, or any part of the same, the petitioner shall pay to the commission the expense involved in the investigation of the matters covered by said petition, including the amounts expended for experts, accountants, or other assistants, and salaries and expenses of all employees of the commission for the time actually devoted to said investigation, but not including any part of the salaries of the commissioners, or the fees of experts testifying as to values in condemnation proceedings.

**38. Rates.** Whenever any investigation shall be necessary to enable the commission to pass upon the reasonableness of the rates or charges by a public utility, the utility, upon order of the commission, shall pay to the commission its expenses involved in the investigation, including the amounts expended by it for attorneys, experts, accountants, or other

assistants, and the salaries and expenses of all employees of the commission for the time actually devoted to said investigation, but not including any part of the salaries of the commission; provided, that the amount charged to the utility by the commission in any such case shall not exceed three-quarters of one per cent of the existing valuation of the utility investigated, such expenses with six per cent interest to be charged by the utility to operating expenses and amortized over such period as the commission shall deem proper and allowed for in the rates to be charged by the utility.

**39. Disposal of Fees.** All sums collected in fees by the commission or paid to it as costs shall be paid to the state treasurer at least once each month, with an itemized statement of the same.

### **Penalties, Etc.**

**40. Compliance Required.** Every public utility and all officers and agents of the same shall obey, observe, and comply with every order made by the commission under authority of this title so long as the same shall be and remain in force.

**41. Penalty, Against Party.** Any public utility which shall violate any provisions of this title, or fails, omits or neglects to obey, observe or comply with any order, direction or requirement of the commission, shall be fined not more than five thousand dollars.

**42. Against Agent.** Every officer and agent of any such public utility who shall wilfully violate, or who procures, aids, or abets any violation of this title, or who wilfully fails to obey, observe, and comply with any order of the commission, or procures, aids or abets any such public utility in its failure to obey, observe, and comply with any such order or provision, shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

**43. Recovery of Forfeiture.** Any forfeiture incurred under the provisions of this chapter shall be recovered in an action brought by the attorney-general in the name of the state, and when recovered shall be paid to the state treasurer.

**44. Institution of Action.** The commission shall have authority to direct the institution of such action, and the attorney-general may institute it without direction whenever he shall have knowledge that such forfeiture has been incurred.



**12. Repeal.** Chapter 288 of the Revised Laws is hereby repealed.

**13. Receiving Evidence.** Amend section 14 of chapter 414 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. Additional Evidence.** No new or additional evidence shall be introduced in the supreme court, but the case shall be determined upon the record and evidence transferred, except that in any case, if it shall be necessary in order that no party shall be deprived of any constitutional right, or if the court shall be of the opinion that justice requires the reception of evidence of facts which have occurred since the hearing, or which by reason of accident, mistake, or misfortune could not have been offered before the commission, it shall remand the case to the commission to receive and consider such additional evidence.

**14. Repeal.** Sections 15 and 16 of chapter 414 of the Revised Laws are hereby repealed.

**15. Rules of Evidence.** Amend section 19 of chapter 414 of the Revised Laws by striking out the words "and all additional evidence received may be" in the second line, so that the amended section shall read: **19. Evidence, How Considered.** All evidence transferred by the commission shall be considered by the court regardless of any technical rule which might have rendered the same inadmissible if originally offered in the trial of an action at law.

**16. Effect of Appeal.** Amend section 20 of chapter 414 of the Revised Laws by striking out said section and inserting in place thereof the following section: **20. Suspension of Order.** No appeal or other proceedings taken from an order of the commission shall suspend the operation of such order; provided, that the supreme court may order a suspension of such order pending the determination of such appeal or other proceeding whenever, in the opinion of the court, justice may require such suspension; but no order of the public utilities commission providing for a reduction of rates, fares, or charges or denying a petition for an increase therein shall be suspended except upon conditions to be imposed by the court providing a means for securing the prompt repayment of all excess rates, fares, and charges over and above the rates, fares, and charges which shall be finally determined to be reasonable and just.

**17. Repaying Excess Rates.** Amend section 21 of chapter 414 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Conditions.** Any order of the court suspending an order of the public utilities commission fixing rates, fares, charges, or prices shall, among other things, provide that the public utility affected by the order suspended shall keep such accounts as shall suffice to show the amount being collected by such public utility, pending the appeal, in excess of the amounts which it would have collected if the order or decree of the commission had not been suspended, and shall provide such means as the court shall determine to secure the prompt repayment of all excess rates, fares and charges over and above the rates, fares and charges which shall finally be determined to be reasonable and just.

**18. New Section.** Amend chapter 414 of the Revised Laws by inserting after section 21 the following new section: **21-a. Contempt of Court.** Whenever there is occasion after final decision for the distribution of said excess, any violation on the part of any public utility, or of the officers or members thereof, of the order of the court providing for the repayment of said excess may be punished as a contempt of court.

**19. New Section.** Amend chapter 414 of the Revised Laws by inserting after section 21-a the following new section: **21-b. Exceptions.** The provisions of this chapter shall not apply to appeals from the assessment of damages in eminent domain proceedings, but such appeals shall be taken and prosecuted as otherwise provided.

### General Public Utility Duty

**20. Supervision by Commission.** Amend section 3 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **3. Extent.** The commission shall have the general supervision of all public utilities and the plants owned, operated or controlled by the same, so far as necessary to carry into effect the provisions of this title.

**21. Duty of Public Utilities.** Amend section 1 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Service.** Every public utility shall furnish such service and facilities as shall be

reasonably safe and adequate and in all other respects just and reasonable.

**22. Amounts Charged.** Amend section 2 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **2. Charges.** All charges made or demanded by any public utility for any service rendered by it or to be rendered in connection therewith, shall be just and reasonable and not more than is allowed by law or by order of the public utilities commission. Every charge that is unjust or unreasonable, or in excess of that allowed by law or by order of the commission, is prohibited.

**23. Commission Keeping Informed.** Amend section 4 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **4. Duty to Keep Informed.** The commission shall have power, and it shall be its duty, to keep informed as to all public utilities in the state, their capitalization, franchises and the manner in which the lines and property controlled or operated by them are managed and operated, not only with respect to the safety, adequacy and accommodation afforded by their service, but also with respect to their compliance with all provisions of law, orders of the commission and charter requirements.

**24. Duty of Utility to Inform Commission.** Amend chapter 289 of the Revised Laws by inserting after section 4 the following new section: **4-a. Additions and Improvements.** For the purpose of enabling the commission to perform its duty to keep informed as provided in section 4, every public utility before making any addition, extension, or capital improvement to its fixed property in this state, except under emergency conditions, shall report to the commission the probable cost of such addition, extension, or capital improvement, whenever the probable cost thereof exceeds a reasonable amount to be prescribed by general or special order of the commission. For this purpose the commission may classify public utilities according to the amount of their respective fixed capital accounts, and prescribe a reasonable limitation for each such classification. In no case shall the minimum amount prescribed be less than one-quarter of one per cent of such fixed capital account as of December 31 of the preceding year, or ten thousand dollars, whichever is the smaller amount. Reports shall be filed in writing with the commission within such reasonable

time, as may be prescribed by the commission, before starting actual construction on any addition, extension, or improvement. The commission shall have discretion to exclude the cost of any such addition, extension, or capital improvement from the rate base of said utility, where such written report thereof shall not have been filed in advance as herein provided.

**25. Inspections.** Amend section 5 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **5. Inspection of Railroads.** The commission shall have power, either through its members or duly authorized experts, to ride upon any locomotive or train of any railroad while in service for inspection purposes, and to have, upon reasonable notice, a special locomotive and inspection car for a physical inspection once annually of all the lines and stations of each railroad in the state.

**26. Investigations and Orders.** Amend section 6 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **6. Investigation of Other Utilities; Orders.** The commission shall have power to investigate and ascertain, from time to time, the quality of gas supplied by public utilities and the methods employed by public utilities in manufacturing, transmitting or supplying gas or electricity for light, heat or power, or in transmitting telephone and telegraph messages, or supplying water, and, after notice and hearing thereon, shall have power to order all reasonable and just improvements and extensions in service or methods.

### Accounts and Dividends

**27. Accounting.** Amend section 7 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **7. Accounting Systems.** The commission may, whenever it deems advisable, establish a system of accounts and records to be used by public utilities for their business within this state, may classify them and prescribe a system of accounts for each class, and may prescribe the manner in which said accounts shall be kept.

**28. Accounting Systems Excepted.** Amend section 8 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **8. Limitation.** Nothing contained in section 7 shall be deemed to prevent

public utilities from complying with any requirements made of them by the authority of the United States Government.

**29. Depreciation.** Amend section 10 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Use of Depreciation Fund.** The depreciation fund may be expended in new construction, extensions or additions to the property of the public utility, or invested and, if invested, the net income from the investment shall be added to the depreciation fund, unless the commission for good cause shown shall otherwise order. Such fund may be used only for new construction, extensions or additions to physical property or for renewing, restoring, replacing or substituting depreciated property in order to keep its plant and system in a state of repair and efficiency, or for paying debts incurred for such purposes.

**30. Keeping Accounts.** Amend section 12 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **12. Accounts; Records.** When the commission has prescribed the form of accounts and records to be kept by public utilities of any class, each public utility of that class shall thereafter keep the accounts and records so prescribed accurately and honestly and in the manner prescribed, and it shall be unlawful for it to keep any other accounts or records, covering the matters included in the accounts and records prescribed, except those which it may be required to keep by the authority of the United States or of any other state.

**31. Correctness of Accounts and Records.** Amend section 13 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **13. False Entries, etc.** No person shall wilfully make any false entry in the accounts or records of any public utility, or wilfully destroy, mutilate or by any other means falsify such accounts or records, or wilfully neglect or fail to make full, true or correct entries of all facts and transactions appertaining to the business of any public utility, which it is his duty to make; provided, that the commission may at its discretion issue orders specifying operating, accounting or financial accounts, records, memoranda, books or papers of public utilities which may, after a reasonable time, be destroyed, and may prescribe the length of time the same shall be preserved.

### Reports, Etc.

**32. Statistics.** Amend section 14 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **14. Filing.** Every public utility shall file with the commission reports at such times, verified by oath in such manner, and setting forth such statistics and facts, as may be required by the commission.

**33. Conformity to Said Act.** Amend section 15 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **15. Form.** Annual reports of railroads shall conform as nearly as may be to those required of common carriers by the interstate commerce commission under the provisions of the act of Congress, entitled "An Act To Regulate Commerce," and the acts amendatory thereof and supplementary thereto.

**34. Obligation to Report.** Amend section 16 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **16. Neglect to Report.** If any public utility shall neglect or refuse to make and file any report within a time specified by the commission, or shall neglect or refuse to make specific answer to any question lawfully asked by the commission, it shall forfeit to the state the sum of one hundred dollars for each day it shall continue to be in default with respect to such report or answer, unless it shall be excused by the commission from making such report or answer, or unless the time for making the same shall be extended by the commission.

**35. Books and Accounts.** Amend section 17 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **17. Production of Books, etc.** The commission, by order, may require any public utility to produce within the state, at such time and place as it may designate, any accounts, records, memoranda, books or papers kept in any office or place without the state, or verified copies thereof, in order that an examination thereof may be made by the commission or under its direction.

**36. Correctness of Statements.** Amend section 18 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **18. False Statements, etc.** No public utility shall wilfully make any false

statement or false entry in any report to the commission, or in any answer to any question lawfully asked by the commission.

### **Extensions, New Business, Etc.**

**37. Permission for Extensions.** Amend section 19 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **19. Railroads.** Without first having obtained the permission of the commission no railroad shall begin the construction of an extension of its railroad or of any branch thereof, and the commission shall grant such permission whenever, after due hearing, it shall determine that such construction or extension would be for the public good, and not otherwise.

**38. Permission for Extensions, Utilities.** Amend section 21 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Other Public Utilities.** No public utility shall commence its business as such within this state, or shall engage in such business, or begin the construction of a plant, line, main or other apparatus or appliance to be used therein, in any town in which it shall not already be engaged in such business, or shall exercise any right or privilege under any franchise not theretofore actually exercised in such town, without first having obtained the permission and approval of the commission.

**39. Public Utilities.** Amend section 28 of chapter 289 of the Revised Laws, as amended by chapter 29, Laws of 1943, by striking out said section and inserting in place thereof the following: **28. Other Public Utility Leases, etc.** Any public utility may transfer or lease its franchise, works or system, or any part of such franchise, works or system, exercised or located in this state, or contract for the operation of its works and system located in this state, when the commission shall find that it will be for the public good and shall make an order assenting thereto, but not otherwise. The commission may, by general order, authorize a public utility to transfer to another public utility a part interest in poles and their appurtenances for the purpose of joint use by such public utilities.

**40. Acquisitions Forbidden.** Amend section 31 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **31. Acquiring**

**Stocks, etc.** No public utility or cooperative marketing association organized for purposes of rural electrification shall directly or indirectly acquire the stocks or bonds of any other corporation incorporated in or doing business in this state, and engaged or preparing to engage in the same or a similar business, unless authorized to do so by order of the commission; provided, that nothing herein shall prevent a public utility being in fact the owner on June 1, 1911, of the majority of the capital stock of any other public utility, or leasing or operating such other public utility, from acquiring the balance or all of the outstanding capital stock of such other public utility a majority of which stock is so owned or which is so leased or operated.

**41. Available Markets.** Amend section 34 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **34. Investigations; Orders.** The commission may, of its own motion or on application of any person, investigate or make inquiry, in a manner to be determined by it, as to the existence of an available market at fair rates within the state; and, if it shall find that such a market does not exist within a reasonable distance of the power development, it may make an order granting such permission and may impose the condition that consumers within the state shall be furnished service by said corporation upon terms as favorable as shall be granted to consumers outside the state, having due regard to all facts and conditions which may affect the subject; provided, that nothing in this section shall apply to corporations engaged in the business of transmitting such electrical energy to any place outside the state on May 15, 1911; but any addition to such energy generated from any waterpower, except such as it was using in connection with such business on that date, shall come under the provisions of this section; provided, further, that the provisions of this section shall not prevent any railroad doing business in this state from transmitting electrical energy beyond the confines of the state for the purpose of operating its road between some point in this state and any point outside the state.

#### **Investigation of Accidents**

**42. Cause for Investigation.** Amend section 35 of chapter 289 of the Revised Laws by striking out said section and in-



serting in place thereof the following: **35. By Commission.** The commission shall investigate the causes of all accidents happening upon the railroads of the state resulting in the loss of life, and of all other accidents happening upon said railroads, or in connection with the operation of other public utilities in the state, which, in the opinion of the commission, ought to be investigated.

**43. Duty to Report.** Amend section 37 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **37. Reports.** Every public utility shall report to the commission accidents occurring in connection with the operation of its business wherein loss of life occurs or any person is injured, or of such a nature as to endanger the safety, health or property of its consumers or the public, as and whenever directed by such rules and regulations as the commission may prescribe.

#### **Proceedings for Failure to Perform Duties**

**44. Intervention of Attorney-General.** Amend section 39 of chapter 289 of the Revised Laws by striking out said section and inserting in place thereof the following: **39. Commission May Institute.** Whenever the commission shall be of opinion that a public utility is failing or omitting, or about to fail or omit, to do anything required of it by law, or by order of the commission, or is doing anything, or about to do anything, or permitting anything, or about to permit anything, to be done contrary to, or in violation of, law or any order of the commission, it shall have authority to lay the facts before the attorney-general, and to direct him immediately to begin an action in the name of the state praying for appropriate relief by mandamus, injunction or otherwise.

**45. Repeal.** Amend chapter 291 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

#### **Chapter 291**

##### **Issuance of Stock and Other Securities General Provisions**

**1. Authority to Issue Securities.** A public utility lawfully engaged in business in this state may, with the approval of the commission but not otherwise, issue and sell its stock,

bonds, notes and other evidences of indebtedness payable more than twelve months after the date thereof for lawful corporate purposes. The proposed issue and sale of securities will be approved by the commission where it finds that the same is consistent with the public good. Such approval shall extend to the amount of the issue authorized and the purpose or purposes to which the securities or the proceeds thereof are to be applied, and shall be subject to such reasonable terms and conditions as the commission may find to be necessary in the public interest; provided however that the provisions of chapter 274 shall be observed by corporations organized under the laws of this state in respect of the corporate authorization required and of other formalities to be observed.

**2. Mortgages.** A public utility may, with the approval of the commission but not otherwise, mortgage its present and future property, tangible and intangible including franchises, to secure the payment of its bonds or notes including any bonds or notes to be thereafter issued under the provisions of such mortgage, provided, however, that no such approval shall be required for any mortgage of property pursuant to after-acquired clauses of mortgages securing the payment of bonds or notes issued prior to September 1, 1951.

**3. Application.** Any such public utility which may apply to the commission for authority to issue such securities shall file with its application a statement in reasonable detail, showing the actual cost already incurred and the estimated cost to be incurred for any of the purposes for which such securities are to be issued and the actual cost already incurred and the estimated cost to be incurred for such purposes.

**4. Authorization.** The commission, after such hearing or investigation as it may deem proper, shall determine the actual or probable cost incurred or to be incurred; and, if in its judgment the issue of such securities upon the terms proposed is consistent with the public good, it shall authorize the same to an amount sufficient, at the price fixed in accordance with the laws applicable thereto, to provide funds for defraying the cost as so determined.

**5. Certificate.** Within thirty days after final order authorizing an issue of securities the commission shall file in the office of the secretary of state a certificate, setting out the

amount of the securities which it has authorized and the purposes for which the proceeds thereof may be used.

**6. Depreciation.** Upon any application for authority to issue securities for the purpose of providing funds for discharging any indebtedness incurred by a public utility in good faith prior to July 1, 1914, in acquiring property, or for other lawful corporate purpose, no deduction shall be made from the cost thereof, as determined by the commission, on account of any estimated depreciation of plant and properties, beyond the portion, if any, of such cost which it may appear has been paid out of the depreciation reserve of said public utility, if any, or out of earnings, to make good depreciation.

**7. Short Term Notes.** No public utility engaged in business within this state shall issue or renew any notes, bonds or other evidences of indebtedness payable less than twelve months after the date thereof, except as provided in this section or by reasonable rules and regulations adopted by the commission or by specific order of the commission in an individual case. The commission may prescribe by rule a reasonable amount of such notes, bonds or other evidences of indebtedness based on the amount of their respective plant investment which each utility shall not exceed without first obtaining the approval of the commission, but in no case shall the minimum amount prescribed be less than ten percent of the fixed capital account of the utility less accrued depreciation. A public utility may renew such notes, bonds or other evidences of indebtedness, for each such renewal for a period not exceeding twelve months, and all such renewals shall be reported to the commission within thirty days thereof; provided, however, that where the aggregate amount outstanding of such notes, bonds or other evidences of indebtedness exceeds ten per cent of the fixed capital account of the utility, less accrued depreciation, the aggregate term of such renewals of each such note, bond or other evidence of indebtedness shall not exceed two years except as may be otherwise prescribed by the commission. The provisions of this section shall not become applicable until such time as the commission, after notice to the public utilities concerned, shall have made effective such reasonable rules and regulations as are authorized hereunder. A public utility dissatisfied with the proposed rules and regulations may request a hearing thereon and shall

be heard by the commission prior to such rules and regulations being made effective. The commission may make changes in such rules and regulations on its own motion after reasonable notice to the public utilities concerned or on complaint of the public utility or utilities interested therein.

**8. Foreign Business.** Public utilities carrying on business both within and without this state shall not be subject to the provisions of the preceding sections when the stock or obligations are to be issued for the acquisition of property, the construction, completion, extension or improvement of their facilities, or the improvement or maintenance of their service entirely without this state, or the discharge or refunding of their obligations or reimbursement of money actually expended for such purposes.

**9. Capitalization of Franchises.** The commission shall have no power to authorize the capitalization, directly or indirectly, of any franchise to be a corporation, or of any franchise or any right to own, operate or enjoy any franchise whatever in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to a political subdivision thereof as a consideration for the grant of such franchise or right, all such franchises, rights and privileges being granted in the public interest only, and not justly subject to capitalization against the public.

**10. Unincorporated Utilities.** No unincorporated person or partnership, being a public utility through the ownership, operation or management of property devoted to public use, shall be required to apply to the commission for authority to issue notes or bonds unless the same are to be secured by mortgage of the property so devoted to public use.

**11. Application of Proceeds.** No public utility shall apply the proceeds of any stock, bonds or notes to any other purpose than those specified in the order of the commission authorizing the issue of the same.

**12. Account.** Every public utility issuing stocks, bonds or other evidence of indebtedness subject to the provisions hereof shall file with the commission an account showing, in such detail as the commission shall require, the disposition of the proceeds of such issue.

**13. Foreign Corporations.** Any foreign corporation which shall engage in intrastate business as a public utility

within this state after May 1, 1919, shall be subject to the provisions hereof, and, by applying for authority to begin or by continuing to engage in such intrastate business after said date, shall be deemed to have consented to said provisions as a condition precedent to its right to engage in such intrastate business.

**14. Public Utilities.** A public utility for any corporate purpose approved by the commission, upon petition of the corporation, may from time to time, with the authority of the commission as provided in this chapter, increase its capital stock or bonds beyond the amounts fixed and limited by its articles of association or its charter or by any act of the general court.

**15. Stockholders.** Whenever a public utility organized under the laws of this state shall issue (1) additional shares of its capital stock having unconditionally the general right to vote or (2) securities convertible into shares of such capital stock, it shall, except as hereinafter provided, first offer such shares or convertible securities proportionately to holders of its stock having such voting right in such manner as shall have been determined by its directors; provided however, that if the charter, articles of agreement or stockholder votes authorizing the outstanding stock have limited or eliminated the rights of holders of such outstanding stock to subscribe to such shares or convertible securities, such offer need not be made, except to the extent, if any, required by said charter. articles of agreement or votes.

**16. Stockholders' Liability.** Whenever a public utility incorporated under the laws of this state shall apply to the commission for authority to issue any stock requiring the approval of the commission, the stockholders shall not become individually liable for debts and contracts of the corporation under chapter 277, section 2, if the amount of stock which the commission authorized the corporation to issue upon any such application is paid in and a certificate of the treasurer and a majority of the directors to that effect is executed, filed and recorded in the manner provided by said section 2 within ninety days after the filing in the office of the secretary of state of the order of the commission authorizing the issue of such stock; provided, that, in cases where such stock is an increase of prior capital, the whole amount of the prior capital

as theretofore fixed and limited by the corporation, or so much thereof as the stockholders have voted to issue, or as the commission has authorized to be issued, has also been paid in and that the certificate so filed by the treasurer and directors shows that fact.

**46. Repeal.** Amend chapter 292 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

## **Chapter 292**

### **Rates and Charges Schedules, Etc.**

**1. Schedules.** Every public utility shall file with the commission, and shall print and keep open to public inspection, schedules showing the rates, fares, charges and prices for any service rendered or to be rendered, in such places, within such time, in such form and with such detail, as the commission may order.

**2. Form.** In the case of public utilities subject to regulation by duly constituted federal authority the requirements relative to the filing of schedules with the commission and to the publication thereof shall conform as nearly as may be to the requirements of said federal authority.

**3. Change.** Unless the commission otherwise orders, no change shall be made in any rate, fare, charge or price, which shall have been filed or published by a public utility in compliance with the requirements hereof, except after thirty days' notice to the commission and such notice to the public as the commission shall direct.

**4. Retroactive Reduction.** The commission may approve a general retroactive reduction in rates by any public utility, covering service for which payment has not been made, when no discrimination will be caused thereby.

**5. Higher Rates.** Whenever any schedule shall be filed with the commission stating new and higher rates, fares, charges or prices, which the public utility filing the same proposes to put into force, the commission may investigate the reasonableness of such proposed rates, fares, charges or prices.

**6. Suspension of Schedule.** Pending any such investigation and the decision thereon, the commission shall have

power, by an order served upon the public utility affected, to suspend the taking effect of said schedule and to forbid the demanding or collecting of the rates, fares, charges or prices covered by the schedule for such period or periods, not to exceed twelve months in all, as in the judgment of the commission may be necessary for such investigation. If for any reason the commission is unable to make its determination prior to the expiration of six months from the originally proposed effective date of said schedule, the public utility affected may place the filed schedule of rates in effect, pending expiration of such twelve months' suspension period, upon furnishing the commission with a bond in such form and with such sureties, if any, as the commission may determine, to secure the repayment to the customers of the public utility of the difference, if any, between the amounts collected under said schedule of rates and the schedule of rates determined by the commission to be just and reasonable.

**7. Fixing by Commission.** Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the rates, fares or charges demanded or collected, or proposed to be demanded or collected, by any public utility for service rendered or to be rendered are unjust or unreasonable, or that the regulations or practices of such public utility affecting such rates are unjust or unreasonable, or in any wise in violation of any provision of law, or that the maximum rates, fares or charges chargeable by any such public utility are insufficient, the commission shall determine the just and reasonable or lawful rates, fares and charges to be thereafter observed and in force as the maximum to be charged for the service to be performed, and shall fix the same by order to be served upon all public utilities by which such rates, fares and charges are thereafter to be observed. The commission shall be under no obligation to investigate any rate matter which it has investigated within a period of two years, but may do so within said period at its discretion.

**8. Burden of Proof.** When any public utility shall seek the benefit of any order of the commission allowing it to charge and collect rates higher than charged at the time said order is asked for, the burden of proving the necessity of the increase shall be upon such applicant.

**9. Emergency.** Whenever the commission shall be of the opinion that an emergency exists it may authorize any public utility temporarily to alter, amend or suspend any existing rate, fare, charge, price, classification or rule or regulation relating thereto.

### **Equality of Rates, Etc.**

**10. Preferences.** No public utility shall make or give any undue or unreasonable preference or advantage to any person or corporation, or to any locality, or to any particular description of service, in any respect whatever, or subject any particular person or corporation or locality, or any particular description of service, to any undue or unreasonable prejudice or disadvantage, in any respect whatever.

**11. Exceptions.** The provisions of the preceding section shall not require absolute uniformity in the charges made and demanded by public utilities when the circumstances render any lack of uniformity reasonable, nor prevent telephone, telegraph and cable companies from entering into contracts, subject to the approval of the commission, when common carriers for the exchange of services, nor affect existing contracts relating thereto, nor prohibit a public utility from establishing differential rates or a sliding scale for the automatic adjustment of such charges if said rates or sliding scale, subject to the approval of the commission, shall be reasonable and just, nor prevent a railroad from providing tickets at reduced rates for commutation travel, excursion trips and other classes of passenger traffic subject to the approval of the commission.

**12. Free Transportation.** No railroad or other public utility acting as a common carrier of passengers or freight shall, directly or indirectly, issue or give any free ticket, free pass or free transportation for passengers between points within this state, except to its officers and employees and their families, to its surgeons, physicians, and attorneys-at-law, to ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work, to indigent, destitute and homeless persons, and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation, to inmates of the



national homes or state homes for disabled or volunteer soldiers, and of soldiers' and sailors' homes, including those about to enter and those returning home after discharge, to the officers and executive board of the New Hampshire Veterans' Association for the exclusive purpose of arranging for its annual reunions, to necessary caretakers of live stock, poultry, fruit, milk and other perishable property, to employees on parlor, sleeping, dining and express cars, and to linemen and other employees of telegraph and telephone companies and of electric power companies furnishing motive power to the common carrier, to railway mail service employees, post office inspectors, customs inspectors and immigration inspectors, to policemen and firemen in uniform or while in discharge of their duties, to newsboys and vendors on trains, baggage agents, witnesses attending any legal investigation in which the carrier is interested, persons injured in wrecks and physicians and nurses attending such persons.

**13. Transportation to Officers, etc.** Nothing herein shall prohibit the issue or giving of passes to the officers and employees of any railroad, or of any other public utility acting as common carriers as aforesaid, or to the families of such officers and employees; nor prohibit any carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitation.

**14. Free Service, etc.** No public utility shall grant any free service, nor charge or receive a greater or less or different compensation for any service rendered, to any person, firm or corporation than the compensation fixed for such service by the schedules on file with the commission and in effect at the time such service is rendered.

**15. Service to Officers, etc.** Nothing herein shall prevent any public utility from granting free or reduced rate service to its officers and employees, nor any telephone or telegraph utility from granting franks for free service to the officials of other utilities engaged in the operation of telephone or telegraph properties, nor prevent any public utility from granting free or reduced rate service to charitable organizations or to municipalities.

**16. Statements of Service.** Statements shall be filed with the commission in such form as the commission shall re-

quire, showing all service of any kind granted at less than the regular schedule rates.

**17. Discontinuance, etc., of Free Service.** In any case where the commission shall investigate the rates, charges or prices of any public utility in any town or city, if it shall be of the opinion that the furnishing of free or reduced rate service under the authority hereof operates unreasonably to increase the rates, charges and prices to the public, it may, to such extent as in its opinion justice may require, order a discontinuance of such free service, or an increase in the rates, charges or prices collected for such service, or any part thereof.

**18. Special Contracts.** Nothing herein shall prevent a public utility from making a contract for service at rates other than those fixed by its schedules of general application, if special circumstances exist which render such departure from the general schedules just and consistent with the public interest, and the commission shall by order allow such contract to take effect.

**19. Filing Contracts.** Such contracts shall be filed and made public in such manner as the commission shall require, and shall constitute a part of the published schedules of the public utility making the same.

**20. Contracts with Municipalities and Other Utilities.** Any public utility shall make, renew, or extend any contract for the delivery of electrical energy to a municipality, or political subdivision thereof, or to another utility upon such terms and conditions consistent with the public good as the commission shall order.

**21. Rebates, etc.** No public utility shall directly or indirectly or by any special rate, rebate, drawback or other device or method, make any deviation from the rates, fares, charges or prices for any service rendered by it specified in its schedules on file and in effect at the time such service was rendered.

**22. Rebates for Furnishing Facilities.** No public utility shall demand or receive less compensation for any service rendered, or to be rendered, by such public utility in consideration of the furnishing of any part of the facilities incident thereto.

**23. Limitation.** Nothing herein shall prohibit any public utility from renting any facilities incident to its service and pay-

ing a reasonable rental therefor, or require any public utility to furnish any part of such appliances which are situated in and upon the premises of any consumer, except telephone station equipment upon the premises of subscribers, and, unless otherwise ordered by the commission, meters and appliances for measurement of any service.

**24. Advertising.** All advertising contracts of public utilities shall be made at regular, established, commercial, advertising rates, and such contracts shall be open to inspection by the commission at all times.

**25. List of Passes.** Every public utility acting as a common carrier shall keep a correct list of all passes by it issued, except those issued to its officers and employees and their families and exchange interstate passes issued under the laws of the United States. Such list shall contain the name of each person to whom a pass is issued and a general description of the pass.

**26. Filing; Inspection.** A copy of such list for the preceding year shall be filed with the commission, in such form and under such regulations as the commission may prescribe. Such list, together with the books, records and papers of the carrier so far as relevant, shall be open at all times to the inspection of the commission, who shall examine the same whenever they deem it necessary to the due enforcement of this title.

### **Temporary and Permanent Rates of Utilities**

**27. Temporary Rates.** In any proceeding involving the rates of a public utility brought either upon motion of the commission or upon complaint, the commission may, after reasonable notice and hearing, if it be of the opinion that the public interest so requires, immediately fix, determine, and prescribe for the duration of said proceeding, reasonable temporary rates; provided, however, that such temporary rates shall be sufficient to yield not less than a reasonable return on the cost of the property of the utility used and useful in the public service less accrued depreciation, as shown by the reports of the utility filed with the commission, unless there appears to be reasonable ground for questioning the figures in such reports.

**28. Permanent Rates.** So far as possible, the provisions of the preceding section shall be applied by the commission in fixing and determining permanent rates, as well as temporary rates. Nothing herein contained shall preclude the commission from receiving and considering any evidence which may be pertinent and material to the determination of a just and reasonable rate base and a just and reasonable rate of return thereon.

**29. Adjustment.** Temporary rates so fixed, determined, and prescribed under this subdivision shall be effective until the final determination of the rate proceeding, unless terminated sooner by the commission. In every proceeding in which temporary rates are fixed, determined, and prescribed under this subdivision, the commission shall consider the effect of such rates in fixing, determining, and prescribing rates to be thereafter demanded or received by such public utility on final determination of the rate proceeding. If, upon final disposition of the issues involved in such proceeding, the rates as finally determined, are in excess of the rates prescribed in such temporary order, then such public utility shall be permitted to amortize and recover, by means of a temporary increase over and above the rates finally determined, such sum as shall represent the difference between the gross income obtained from the rates prescribed in such temporary order and the gross income which would have been obtained under the rates finally determined if applied during the period such temporary order was in effect.

**30. Bond.** If temporary rates are prescribed under section 27 which are higher than those previously in effect, the commission may require the public utility to file a bond in such form and with such sureties, if any, as the commission may determine, to secure the repayment to the customers of the public utility of the difference between the amounts collected under such temporary rates and the rates which the commission finds should have been in effect during the continuance of such temporary rates.

**31. Appeals.** Procedure to be followed in connection with appeals shall be in accordance with chapter 414.

**47. Repeal.** Amend chapter 293 of the Revised Laws by striking out said chapter and inserting in place thereof the following:

## Chapter 293

### Joint, Connecting, and Terminal Service Joint Service

**1. Commission May Establish.** After a hearing and investigation, either upon complaint or on its own motion, the commission may establish joint services to be participated in by two or more railroads, or by two or more telephone utilities whose lines or wires form a continuous line of communication, or could be made to do so by the construction and maintenance of suitable connections or by the joint use of equipment or the transfer of messages at common points, between different localities which cannot be communicated with or reached by the lines of either of such utilities alone, or by such lines and other lines with which suitable connections are maintained, and may ascertain, determine and fix just and reasonable rates, fares, charges, prices, classifications and rules and regulations relating thereto, which shall thereafter be demanded, collected, enforced and observed by such public utilities.

**2. Division of Rates.** The commission may prescribe the division of such joint rates, fares, charges, prices and classifications between railroads or telephone utilities joining in such services whenever such division shall not be made by agreement; and any division agreed upon shall be subject to revision by the commission if found to be inconsistent with the public interest.

**3. Through Routes.** In establishing such through route the commission shall not require any railroad without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction, and under a common management or control therewith, which lies between the termini of such proposed through route, unless to do so would make such through route unreasonably long as compared with another practicable through route which could otherwise be established.

**4. Use of Motive Power.** No railroad shall be required to allow the use of any motive power, other than its own, upon its railroad.

**5. Termination.** Whenever joint service has been established by two or more public utilities the commission shall

have authority to prevent any unjust or unreasonable termination of the same, or to order the re-establishment of such service if so terminated.

### Joint Rates

**6. Fixing.** Whenever, after hearing and investigation, the commission shall find any joint rate, fare, charge or price demanded and collected for any existing joint service participated in by two or more railroads or public utilities to be unjust, unreasonable or discriminatory, it shall fix the same upon a just, reasonable and non-discriminatory basis.

**7. Apportionment.** If the railroads or public utilities affected thereby shall fail to agree upon the division or apportionment thereof the commission may prescribe the division of such joint rates, fares, charges and classifications between such railroads or public utilities, and may revise any division agreed upon which shall be found inconsistent with the public interest.

### Terminal Service

**8. Furnishing.** Every railroad, upon the application of any shipper or receiver or contemplated shipper or receiver of freight, for a switch connection between the railroad and any existing or contemplated track, tracks or railroad of such applicant, shall make such connection and provide such switches and tracks as may be necessary for that purpose and deliver and receive cars thereover; provided, that such connection is reasonably practicable and can be installed and used without materially increasing the hazard of the operation of the railroad with which such connection is sought, and that the business which may reasonably be expected to be received by such railroad over such connection is sufficient to justify the expense of such connection to such railroad.

**9. Spurs.** Under the conditions specified in section 8 every railroad, upon the application of any shipper or receiver or contemplated shipper or receiver of freight, shall construct upon its right of way a spur or spurs for the purpose of receiving and delivering freight thereby, and shall receive and deliver freight thereby.

**10. Refusal to Provide Spurs.** Whenever the commission, after a hearing had upon its own motion or upon com-

plaint, shall find that application has been made to a railroad for a connection or spur as provided herein, and that the railroad has refused to provide the same upon reasonable terms, and that the applicant is entitled to have the same provided for him, the commission shall make an order requiring the providing of such connection or spur and the maintenance and use of the same upon reasonable terms, which the commission shall have the power to prescribe.

**11. Apportionment of Cost.** Whenever any such connection or spur has been so provided, any corporation or person shall be entitled to connect with the track, tracks or railroad thereby connected with the railroad of the railroad company and to use the same, or to use the spur so provided, upon payment to the party or parties incurring the primary expense of such track, tracks or railroad, or the connection therewith or of such spur, of a reasonable proportion of the cost thereof to be determined by the commission after notice to the interested parties and hearing; provided, that such connection and use can be made without unreasonable interference with the rights of such party or parties.

**12. Switching.** The commission shall likewise have the power to require one railroad to switch to private spurs and industrial tracks upon its own railroad the cars of a connecting railroad and to prescribe the terms and compensation for such service.

### **Joint Use of Facilities, Etc.**

**13. Petition.** Any railroad may jointly use the lines, tracks, rights of way, stations, equipment, or facilities of an existing railroad when such joint use shall be found by the commission to be for the public good, upon such terms and subject to such restrictions and regulations as the commission may impose.

**14. Procedure.** The commission shall, upon notice to all parties in interest, hear and determine whether the right prayed for is for the public good and the compensation to be paid therefor, and shall render judgment accordingly. Notice published at least fourteen days prior to said hearing, in any newspaper published in the state six days each week, shall be proper notice to all parties.

**15. Appeal on Damages.** Any party aggrieved by the order of the commission awarding damages in such case may within sixty days after the entry of its order, and not afterward, file in the superior court of any county in which are located any of the lines, tracks, rights of way, stations, equipment, or facilities, the joint use of which is sought, a petition to have damages assessed by a jury, upon which petition notice shall be given, and the court shall assess such damages by jury.

**16. Fees.** In such proceedings the commission shall charge and collect fees as follows: For the entry of each petition, twenty-five dollars; for the making of each order of notice for service upon parties in interest, five dollars; for each notice by publication, the actual cost thereof; and for the entry of each order granting joint use of lines, tracks, rights of way, stations, equipment, or facilities in any such case, ten dollars.

**48. Repeal.** Amend chapter 294 of the Revised Laws, as amended by chapter 36, section 1 of the Laws of 1949 and as amended by chapter 71 of the Laws of 1951, by striking out said chapter and inserting in place thereof the following new chapter:

## **Chapter 294**

### **Proceedings to Acquire Property or Rights Eminent Domain**

**1. Petition.** Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line, branch line, extension, or a pipe line, conduit, line of poles, towers or wires across the land of another, or should acquire land, land for a dam site, or flowage or drainage rights for necessary extension or improvement of any plant, water power, or other works owned or operated by such public utility, and it cannot agree with the owners of such land or rights as to the necessity or the price to be paid therefor, such public utility may petition the public utilities commission for such rights and easements, or for permission to take such lands or rights, as may be needed for said purposes.

**2. Highway Rights.** No such taking of flowage or drainage rights shall affect the right of a town in any highway or bridge.



3. **Procedure.** The commission shall, upon notice to all parties in interest, hear and determine the necessity for the right prayed for and the compensation to be paid therefor, and shall render judgment accordingly. In such proceedings the provisions relating to flowage rights contained in chapter 267 shall not apply, but when petitions to acquire flowage or drainage rights are filed the commission shall notify the water control commission.

4. **Owners Under Disability.** If any owner is under any legal disability and is not under guardianship in this state, the commission shall, upon application by the public utility, appoint a guardian *ad litem* to receive notice and otherwise represent the owner in the proceedings.

5. **Publication.** Upon evidence satisfactory to the commission that any owner or his residence is unknown or uncertain the notice may be by publication; and if no appearance is entered for such owner, the commission shall, upon application by the public utility appoint a guardian *ad litem* to represent such owner in the proceedings.

6. **Compensation of Guardian.** The commission shall determine and fix the amount due to any guardian appointed by it for services and disbursements in connection with any proceedings before the commission, and the portion thereof that justice requires shall be payable out of any award that may be made for any land or right of the ward that may be taken. The balance of the amount due the guardian and, if no award is made, the whole of such amount shall be payable by the public utility.

7. **Public Utilities.** The petition of a public utility shall set out the title and the description of the land involved, the rights to be taken therein, and the public use for which the same are desired, and a certified copy of the petition and final decree thereon shall be recorded, if said petition shall be granted, in the registry of deeds in the county or counties in which the real estate affected thereby is located.

8. **Railroads.** In the case of railroads the proceedings in said matters shall be as is provided in chapter 298 relating to taking for railroad purposes; and any party aggrieved shall have the same rights of appeal as are therein provided.

**9. Entry by Public Utility.** If the question of necessity shall be finally determined in the affirmative, the public utility may enter upon and use the land or rights adjudged necessary, upon the payment or tender of the compensation and damages awarded by the commission. If the owner is represented by a guardian, or guardian *ad litem*, payment or tender under this section may be made to such guardian, and said guardian shall pay over any balance due the ward to the ward or his legal representative or in the absence of both to the state treasurer for the owner's use.

**10. Appeal on Damages.** Any party aggrieved by the order of the commission awarding damages in such case may, within sixty days after the entry of the order and not afterwards, file in the superior court of the county in which the land is located a petition to have the damages assessed by a jury, upon which petition notice shall be given, and the court shall assess such damages by jury.

**11. Security.** If an appeal is taken the public utility shall also file in the office of the clerk of said court reasonable security to the satisfaction of the court for the payment of any further damages and of the costs which may be awarded to the owner upon the appeal.

**12. Costs.** If the result of an appeal is to change the award of damages in favor of the appellant, the appellant shall recover costs; otherwise he shall pay costs.

**13. Reduction of Damages.** If the owner's damages are reduced upon appeal, the public utility shall have judgment and execution against him for the amount of such reduction and costs if he has taken the damages tendered to him; but if he has not taken such damages the public utility may retain the amount of such reduction and costs from the tender, or if the damages have been paid to the state treasurer, the public utility shall be entitled to have such reduction and costs returned by the treasurer.

**14. Fees.** In such proceedings the commission shall charge and collect fees as follows: For the entry of each petition, twenty-five dollars; for the making of each order of notice for service upon the owners of each parcel of land described in said petition in which rights are sought to be taken, one dollar; and for the entry of each order granting land,

rights or easements in any such case, ten dollars for each tract of land granted or affected.

**15. Pipe Line Companies.** Whenever any corporation organized under the laws of this state or of any other state or of the United States for the purpose of constructing and operating a natural gas pipe line, which corporation holds a certificate of public convenience and necessity issued under the provisions of the Federal Natural Gas Act, approved June 21, 1938, as it now reads or may hereafter be amended, authorizing such corporation to construct and operate a natural gas pipe line or pipe lines and appurtenant facilities within this state, or any petroleum pipe line company doing exclusively an interstate business, from any cause shall be unable to acquire lands necessary to its purposes by purchase, lease or otherwise, it may institute proceedings for condemnation thereof in the manner provided in this section.

I. Said pipe line company shall cause a plan or location of the real estate proposed to be taken to be prepared and a copy thereof filed with the clerk of the superior court for each county in which any of such real estate is located and shall apply by petition to the superior court for the county in which such real estate is located, to acquire said real estate for the purposes of such pipe line and to have assessed the damages occasioned by the taking. Such petition shall state the name and residence so far as known to said pipe line company of all persons claiming ownership of or interest in the real estate proposed to be taken. Where such real estate is located in more than one county the petition may be filed in either county.

II. The superior court, upon the filing of any such petition, shall order notice thereof to be given to all persons claiming ownership of or interest in such real estate to appear and present their claims at a time and place to be stated in the notice, by publication, and an attested copy of such notice shall be given in hand to, left at the usual place of residence or business of, or sent by registered mail to the last known address of all claimants whose names appear in the petition, fourteen days at least before the said date of hearing. The superior court, after notice to all parties interested, shall hear the preliminary questions, if any, and all issues relating to title, and shall determine the rights and interests of any and

all parties, and the findings and decree relating to such issues shall be final and subject to review only upon questions of law.

III. Upon final determination of any and all of said questions, the superior court shall, unless the parties elect a trial by jury, appoint a commission consisting of three suitable persons to assess the damages occasioned by the taking. The commissioners, upon reasonable notice to all interested parties and after hearing, shall assess the damages and make report of such assessment to the superior court, and such action shall be taken thereon as justice may require. If either party shall so elect, before reference of such petition to a commission, the damages occasioned by the taking shall be assessed by jury.

IV. In trying any question of damages before said commissioners or by jury, the appraisal for taxation of such real estate, and in cases where less than the whole interest in real estate is sought to be acquired, the appraisal for taxation of such whole interest, by the selectmen or tax assessors for the tax year in which such application shall have been filed, and for as many preceding years as the commissioners or the court may consider relevant, shall be competent as evidence of value. The damages as determined shall be awarded to the owner or apportioned among the several owners in accordance with their several interests as determined and judgment shall be entered accordingly.

V. Said pipe line company at any time after filing such petition may enter upon and take possession of the real estate upon providing such security as justice may require, to pay any damages occasioned by the entry or to satisfy any judgment which may be rendered on the petition. The amount of the security and all questions relating thereto may be determined by the superior court upon application of either party. The title to the real estate shall, upon payment or tender of the damages occasioned by the taking, be vested in the pipe line company. For purposes of surveying and other investigation, said pipe line company shall be entitled to enter upon any real estate, doing no unnecessary damage, and the owner thereof may, if the parties are unable to agree, recover any damages sustained by him by reason of any preliminary entry authorized by this section, by action at law against said pipe line company.

VI. No lands or rights of way or easements therein shall be taken by eminent domain under the provisions of this act in any public property, or within the location of any railroad or other public utility company, provided that such pipe line or pipe lines may be constructed under or through any public highway or street, public park or reservation or other public property if the method of such construction, compensation if any, and the plans and specifications therefor have been approved by the authority having jurisdiction over the maintenance of such public highway or street, public park or reservation or other public property; and provided further that such pipe line or pipe lines may be constructed over or across the location of any railroad or other public utility company by agreement with such railroad or other public utility company or in the event of failure so to agree, than with the approval of the public service commission and in such manner as may be determined by said commission. Provided, however, that nothing herein shall be deemed to repeal any of the provisions of this chapter, relative to acquisition of rights in public waters and on public lands.

**16. Forfeiture for Non Use.** All acquisitions of water rights acquired under this chapter, which within five years from the date of acquisition have not become a used and useful part of the utility's property shall be forfeited to the state, unless otherwise ordered by the commission.

### **Rights in Public Waters and Lands**

**17. Petition.** Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipe line or conduit or lines of poles or towers or wires and fixtures thereon over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, or to flow any of such lands, it may petition the commission for a license to construct and maintain the same. For the purposes of this section, public waters are defined to be all ponds of more than ten acres and such streams or portions thereof as the commission may prescribe.

**18. Exception.** The requirement for petition to and hearing by the commission as provided in section 17 shall not be required when the license is requested by the public utility

for the exclusive purpose of furnishing facilities to the state, or any department or agency thereof.

**19. Notice.** The commission shall cause due notice of said petition to be given to the attorney-general, and to such owners of lands bordering on such public waters as the commission may designate in its order of notice, which shall state the time and place appointed for hearing on said petition.

**20. Hearing; Order.** The commission shall hear all parties interested, and, in case it shall find that the license petitioned for, subject to such modifications and conditions, if any, and for such period as the commission may determine, may be exercised without substantially affecting the public rights in said waters or lands, it shall render judgment granting such license.

**21. Damages.** The commission shall determine the compensation, if any, to be paid to the owners of such adjoining lands for any damage thereto occasioned by the continuation and maintenance of any such structures, subject to appeal as provided in section 10. The commission shall also determine the amount of compensation to be paid to the state for rights on public lands as above provided.

**22. Deeds.** Any such license creating rights over, under or across any of the lands owned by the state shall be evidenced by an instrument executed in the name of the state by the governor and attested by the secretary of state and recorded in the county where the property is situated.

**23. Payment.** Any compensation payable on account of any such license shall be paid to the state treasurer, and if derived from licenses affecting state forests or forestry reservations shall be added to the forest improvement fund, otherwise to be a part of the general funds of the state.

**49. Question of Public Good.** Amend section 8 of chapter 296 of the Revised Laws by striking out said section and inserting in place thereof the following: **8. Petition to Court.** The provisional corporation may file in the office of the clerk of the superior court for the county of Merrimack a petition for a decision of the question, whether the public good requires the proposed railroad.

**50. Powers of Corporation and Duties of Treasurer.** Amend chapter 296 of the Revised Laws by inserting after

section 16 of said chapter the following new sections: **16-a. Powers.** Railroads have the general powers granted to other corporations, and the special powers granted to them by their charters and the general laws of the state. **16-b. Assistant Treasurer.** If the treasurer of any railroad in the state does not reside and keep his office in the state, the corporation shall appoint an assistant treasurer, who shall reside in the state and shall keep his office at the principal place of business of the corporation therein. **16-c. List of Stockholders.** The treasurer of every railroad, any part of whose road is in this state, shall transmit to the state treasurer, on or before June first in each year, a list of the stockholders of the corporation residing in each town of the state on April first preceding, giving the number of shares owned by each, with a certificate, under oath, that the list is correct. Every treasurer who neglects to comply with the provisions of this section shall forfeit one hundred dollars.

**51. Repeal.** Section 17 of chapter 296 of the Revised Laws is hereby repealed.

**52. Application to Superior Court.** Amend section 19 of chapter 296 of the Revised Laws by striking out said section and inserting in place thereof the following: **19. Procedure.** If two or more railroad corporations, at meetings of their respective stockholders, properly notified and held for the purpose, have agreed, by a two-thirds vote of the stock represented and voting at such meetings, to unite and form a single corporation, they may apply by petition to the superior court for the county of Merrimack for a determination of the question, whether the public good will be promoted by such union; and if the court, after notice and finding of the facts, and a hearing, as provided in sections 9 to 13, shall determine that the public good requires such union, and that stockholders of the respective corporations, at meetings duly held for the purpose, have voted in favor of it as aforesaid, they shall authorize the union to be made.

**53. Valuation of Property Taken.** Amend section 30 of chapter 296 of the Revised Laws by striking out said section and inserting in place thereof the following: **30. Orders.** After hearing the parties the justice shall determine the value of the stock, interest or property right taken of all stockholders who are entitled to have compensation therefor, and shall

make and enforce all orders that may be necessary to secure to dissenting and other stockholders all their rights under the constitution and laws. He shall file his award with the clerk of the superior court for the county of Merrimack.

**54. Obligation and Privilege of Railroad After Formation.** Amend chapter 296 of the Revised Laws by inserting after section 41 the following new section: **41-a. Filing Map, etc.** Whenever a railroad or a branch or extension of a railroad has been finished and opened for public use the corporation by which it was constructed shall, within one year thereafter, file in the office of the secretary of state a map or profile thereof, with tables of grade and curvature and a statement of the other characteristics of the road, certified by its president and its engineer, in such form as the public utilities commission may prescribe. **41-b. Adverse Possession.** No title to any real estate or to any interest therein shall be acquired by or against a railroad by adverse possession, however exclusive or long continued.

**55. Repeal.** Chapter 297 of the Revised Laws is hereby repealed.

**56. Survey.** Amend section 1 of chapter 298 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Agents' Duties.** Railroads shall be surveyed and laid out, in the first instance, by their agents.

**57. Additional Facilities.** Amend section 23 of chapter 298 of the Revised Laws by striking out said section and inserting in place thereof the following: **23. Taking for Yards, etc.** The proprietors of a railroad may take and hold such land as may be necessary for yards, sidetracks, fuel sheds, repair shops, turntables, gravel pits, engine, car and freight houses and depots, for making provisions to supply their buildings and engines with water, and for the purpose of changing or diverting the course of streams, where necessary, for the purpose of properly constructing, maintaining or protecting their railroad, by filing a location thereof and giving notice as provided for filing the location of a railroad.

**58. Repeal.** Amend chapter 299 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:



### Chapter 299

#### Crossings, Stations, Fences, and Bridge Guards General Statement of Duty

**1. Facilities.** It shall be the duty of every railroad to provide suitable crossings, stations and other facilities for the accommodation of the public, and suitable gates, crossings, cattle passes and other facilities for the accommodation of persons whose lands are divided, or are separated from a highway, by a railroad.

#### Overhead Bridges and Underpasses

**2. Reconstruction.** Upon petition of a railroad, the commissioner of public works and highways, the selectmen of a town, or the mayor and council of a city, the commission, after notice and hearing, may require a railroad (a) to separate the grades where a highway and railroad cross at grade or where a railroad crosses another railroad at grade, (b) to change the location of a highway or a railroad in order to avoid or improve a grade crossing or (c) to reconstruct or otherwise alter or improve any existing bridge or underpass and the approaches thereto in instances where separation of grades has been effected, or (d) to improve the approaches to any grade crossing so as to make them as nearly level as practicable where any such action is found necessary in the interest of safety to the railroad or the public. At any such hearing the commissioner of motor vehicles and the commissioner of public works and highways shall sit and confer with the public utilities commission in an advisory capacity in the determination of the necessity for such reconstruction and the apportionment of the cost of the same.

**3. Apportionment of Cost.** Any order issued under the preceding section shall provide for the apportionment of the cost (1) between the railroads in interest if the crossing eliminated or improved is a railroad crossing or (2) between the railroad and the state if such crossing is located at the intersection of a railroad and a state highway, trunk line or state-aided highway, or (3) between the railroad and the municipality if such crossing is located at the intersection of a railroad and a highway other than those above specified. In making such apportionment the commission shall give due consideration to whether the railroad or the highway was first

constructed, to the nature and volume of highway traffic, to the number of trains operated by the railroad at the crossing, and all other relevant facts and circumstances. After such reconstruction the abutments and superstructure of the bridge or underpass shall be maintained by the railroad, but the commission may direct that the wearing surface of a highway at the crossing be maintained by the state or by the town or city whenever it finds that justice so requires.

### Grade Crossings

**4. Consent of Commission.** No railroad hereafter constructed shall cross another railroad, a highway or other way, at grade, unless the consent in writing of the public utilities commission is first obtained.

**5. Neglect to Obtain.** If a railroad shall neglect to comply with the requirements of the preceding section the public utilities commission may subsequently approve the crossing made by the railroad, or may order it to make such changes therein as the public good requires. If the railroad shall fail to comply with such order it may be fined not more than one thousand dollars.

**6. New Highways.** No highway shall be laid out or constructed across a railroad at grade without the like consent of the commission.

**7. Expense.** In the event that a new railroad or highway is located or laid across an existing railroad or highway, the cost of construction and maintenance shall be apportioned between the parties in interest in accordance with the principles set forth in section 3 of this chapter.

**8. Appeal.** Either party shall have the right to appeal from the decision of the commission to the superior court.

**9. Taking Land.** The railroad may take and hold such land or rights in land as may be necessary to enable it to do such work as may be authorized or required by order of the commission under this chapter, by filing a location thereof, as provided for filing the location of a railroad; and the parties shall have like remedies for a change of location and for the appraisal of damages thereunder.

### Crossing Warning Signs and Signals

**10. Crossing Protection.** Every railroad shall construct, or improve, and operate and maintain at every grade crossing of its railroad with another railroad or highway such warning signs, gates or other protection; it shall so regulate the speed of its trains across any grade crossing and it shall give such appropriate warning of the approach of its trains to any grade crossing as the commission, after notice and hearing, may find necessary in the interest of safety of the railroad or of the public; provided, however, that cost of constructing or improving such warning signs, gates or other protection shall be apportioned in accordance with the provisions of section 3 of this chapter. The railroad shall maintain signs, signals, gates or other equipment, installed within the limits of its right of way, after the installation thereof.

**11. Town Signs.** Every city and town shall place and maintain warning signs on every highway approaching a crossing at grade of such highway and the tracks of a steam railroad, at a reasonable distance on each side of such crossing.

**12. Design; Location.** Such signs shall be of a design and color to be established by an order of the commission. They shall be placed in conspicuous places beside the highway at a distance of not less than three hundred nor more than five hundred feet from the crossing, unless the commission, on petition of a city or town, shall in any particular case approve of a different distance. They shall be placed at as nearly as possible an even number of hundreds of feet from the crossing, which number shall be stated on the signs.

**13. Exemption.** If in the case of any crossing it appears that the placing of such signs is impracticable or unnecessary the commission, on petition of the city or town in which such crossing is situated, may release such city or town from the obligation of placing and maintaining the same.

**14. Alternatives.** The commission may, by order, prescribe a different type of warning sign for highway grade crossings to replace signs placed under the foregoing provisions. The distance from the crossing need not be stated on the signs. Such signs shall be furnished and placed in position by the railroad whose lines are crossed by any highway at grade, and shall thereafter be maintained by the city or town

in which they are situate. If any town shall neglect to comply with the requirements hereof it shall forfeit one dollar for each day during which it shall neglect to place or maintain each sign required hereby to be placed or maintained by it, such forfeiture to be recovered in an action of debt, in the name and for the use of the state.

**15. Occupancy.** A railroad shall not occupy a grade crossing over a highway by its engines and cars more than five minutes at one time, without authority from the commission.

**16. Exceptions.** The commission, upon petition, notice and hearing, may fix the maximum time for such occupancy, not exceeding nine minutes, and may establish such regulations in relation thereto as the public accommodation requires.

**17. Penalty.** Any person or corporation who shall violate the provisions of any of the preceding sections, or of any order of the commission made hereunder, may be fined not more than one hundred dollars, unless otherwise specifically provided.

**18. Regulations.** Whenever after a hearing upon petition or upon its own motion the commission shall be of the opinion that the protection required by its order demands that the land adjacent to said crossing shall be cleared and kept clear of buildings, trees, brush or other obstructions, its order shall require the railroad corporation operating over the crossing to clear the land of such obstructions.

**19. Taking Land.** Whenever any railroad shall deem it necessary for the public safety, or to prevent the kindling and spread of fire from its locomotives, that the land at or near any highway or private crossing at grade, or upon the inside of any curve, be cleared and kept clear of buildings, trees, brush or other obstructions, or that a strip of land alongside its right of way be cleared and kept clear of trees, brush or other vegetation as a fire strip, or whenever, to comply with any order made under the preceding section, it shall be necessary for any railroad to remove buildings, trees, brush or other obstructions from land not owned by it, any such railroad may file a location with the secretary of state and apply by petition to the commission for permission to take such land,

or such rights and easements in land, as may be needed for such purposes.

**20. Procedure.** Such petition shall set forth the title of the land involved, a description of the land, or of the rights and easements, and the purpose for which required, and proceedings shall thereafter be had as provided in chapter 298.

**21. Recording Petition.** At any time after the filing of a petition under section 19, the petitioner may record in the registry of deeds for the county where the land lies a certified copy of said petition, and no sale, lease, or other transfer of said land made after such record shall affect the proceedings, nor the title of said petitioner to any land, rights, or easements which may be granted therein; but any person acquiring the title of any landowner may, on his motion, be substituted in place of said landowner as a party to said proceedings wherever the same may be pending.

### **Closing of Highway Crossings**

**22. Commission Hearing.** Whenever after hearing upon petition or upon its own motion the commission shall be of the opinion that the public safety requires the closing of any public or private crossing over a railroad, at grade or above or below such railroad it shall order the same to be closed or shall make such order as in its opinion the public good may require, and it shall thereafter be the duty of the parties affected to comply therewith.

**23. Advisory Group.** At any such hearing the commissioner of motor vehicles, the highway commissioner, and one representative chosen by the selectmen of each town directly served by such crossing shall be invited to sit and confer with the commission in an advisory capacity in the determination of the need for such crossing.

**24. Service of Orders.** In the case of a private crossing such order shall be served upon the railroad and the landowner affected, or his legal representative. In the case of public crossings, service shall be made upon the railroad, the clerk or clerks of the towns directly served by such crossing, and in addition the order shall be published in a newspaper having general circulation throughout the county where such crossing is located.

**25. Damages.** Any landowner, or his legal representative, entitled to damages by reason of the closing of any private crossing may file a petition with the commission for the assessment of the same within thirty days from the date of such order, and not otherwise. The commission shall set a date and place of hearing, shall give notice to the parties that may be affected, and shall hear and determine the issues raised. Damages, if any, shall be assessed against the railroad or the other interested parties in such proportion as said commission shall order.

**26. Appeal.** Any party aggrieved by the assessment of the commission may within sixty days after the report of the commission thereon and not afterwards, appeal to the superior court in the county where such crossing may be situated, and the court shall assess the same by jury and award costs to the prevailing party.

**27. Limitation.** Nothing in this subdivision shall be construed as altering the method of discontinuing highways now provided for by law wherein a crossing may be discontinued incidental to the closing of a highway.

### **Stopping Places and Depots**

**28. Order to Establish.** The commission, upon petition of the selectmen or of twenty or more legal voters of a town, after notice and hearing, may order a railroad to establish such stopping places or depots in the town as they find that the public good requires, within a time by them limited, and to stop trains at such stopping places or depots.

**29. Neglect.** A railroad shall forfeit one hundred dollars for each month's neglect to comply with such order, for the use of the town.

### **Fences and Cattle Guards**

**30. Maintenance.** Every railroad shall erect and maintain a sufficient fence upon each side of their road, except at the crossings of public highways; and at every such crossing they shall construct and maintain, upon each side of the highway, sufficient cattle guards or fences to prevent cattle from passing upon their road.

**31. By Landowner.** If any railroad shall neglect to erect or maintain fences, as provided in the preceding section, the

owner of adjoining land may give notice thereof to any agent of the railroad, and if the fence is not erected or made sufficient within twenty days, such owner may build or repair it and recover of the railroad twice the expense of so doing, in an action on the case.

**32. Neglect to Repair.** If any person has agreed to repair or maintain such fence and neglects to do so the railroad may rebuild the same and recover the expense of so doing of such person, in an action on the case.

### **Cattle Guards, Etc., for Accommodation of Individuals**

**33. Establishing.** If the owner of land and a railroad are not agreed upon the place, number or kind of cattle guards, passes or crossings to be constructed for his accommodation, either party may apply to the commission, who, after notice, hearing and examination, shall determine the number, places, time and manner of construction of the same.

**34. Failure to Construct.** If the railroad does not construct such cattle guards, passes and crossings within the times limited by the commission, and do not pay the costs adjudged to be paid by them, upon request, they shall forfeit twenty-five dollars for each month's neglect.

### **Bridge and Bridge Guards**

**35. Alterations; Taking Land.** The commission may require the railroad to raise any railroad bridge or any overhead highway bridge and, in the case of a highway bridge, to change the approaches thereto so as to make them as nearly level as practicable. Whenever it is necessary, in complying with such requirement of the commission, to raise or lower or otherwise change the location of a highway outside the railroad location, any land needed for that purpose shall be taken, and the damage, if any, to landowners shall be appraised and paid, in the manner described in chapter 298.

**36. Notice.** Proceedings under this subdivision shall only be had after due notice to the railroad, the town or city and the landowners.

**37. Orders.** All orders and findings of the commission shall be filed with the clerk of the town or city in which such bridge is located, and served upon the railroad.

**38. Neglect to Comply.** Neglect by any railroad to comply with the orders of the commission, within a reasonable time to be specified in such orders, shall be punished by a forfeiture of fifty dollars a day, to be collected by the commission, in the name and for the use of the state, in an action of debt.

**39. Bridges; Structures; Height of Cars.** No overhead bridge or other structure shall hereafter be constructed across a railroad track in this state with less than twenty-one feet between the top of the rails and the lowest point of the overhead structure, except with the written consent of the commission, and no railroad corporation shall receive or haul any freight car exceeding sixteen feet in height from the rails to the top of the running board.

**40. Bridge Guards.** Every railroad shall erect and maintain bridge guards at each end of every bridge or other structure erected less than eighteen feet above the track of their railroad, the character and location of which shall be approved by the commission.

**41. Failure to Maintain.** If any railroad shall fail to comply with the provisions of the preceding section it shall forfeit fifty dollars for each month of continuance in such failure.

**42. Penalty.** If any person shall wilfully destroy or injure any such bridge guard he shall be fined not more than one hundred dollars, or imprisoned not more than thirty days.

**59. Repeal.** Amend chapter 300 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 300

#### Railroads: Fire Damage and Prevention Liability of Railroads for Fire Damage

**1. Railroad's Liability.** Every railroad shall be liable for all damages to any person or property by fire or steam from any locomotive or other engine upon their road.

**2. Insurable Interest.** Such railroads shall have an insurable interest in all property situate upon the line of their road which is exposed to such damage, and they may effect insurance thereon for their own benefit.



3. **Owner's Insurance.** Such railroads shall be entitled to the benefit of any insurance effected upon such property by the owner thereof, less the cost of premium and of expense of recovery. The insurance shall be deducted from the damages if recovered before the damages are assessed, or, if not, the policy shall be assigned to the railroads who may maintain an action thereon.

### **Prevention, Etc., of Fires**

4. **Spark Arresters, etc.** Every railroad operating steam locomotives within the state shall, subject to the approval of the commission, equip and maintain in good condition a spark arrester and a suitable ash pan on every engine; and shall require its employees operating such engines to exercise due care to keep such devices in good order and to prevent the escape of live coals or sparks which may cause fires along the right of way; and shall, subject to the approval of the commission, make and enforce regulations for the giving of fire signals and notifications of the existence and location of fires along the right of way to its employees.

5. **Deputy Fire Wardens.** The state forester may appoint as deputy forest fire wardens the section foremen or such other railroad employees as the authorized officials of the railroad may recommend. Such deputies, when so appointed, shall be vested with the powers and duties of deputy forest fire wardens, except as such powers and duties are limited or extended hereby.

6. **Deputies' Duties.** Railroad deputies thus appointed shall extinguish and supervise the fighting of forest and brush fires originating along the railroad right of way, but shall not be required to supervise the fighting of fires which do not so originate, except that a railroad deputy who receives notice of the existence of a fire adjacent to the right of way shall proceed forthwith to extinguish it.

7. **Cooperation.** The forestry and recreation commission shall instruct all wardens and other employees of the department to cooperate with the railroad deputies in the prevention and extinguishment of railroad fires, immediately to notify the nearest station agent or railroad deputy upon the discovery of a fire along the right of way, and to combat such

fire until the railroad deputy or other railroad official shall assume charge.

**8. Expenses.** All just and proper expenses incurred in extinguishing forest or brush fires caused by a railroad shall be paid by such railroad; but the fact that such payment has been made shall not be admissible as evidence that such fire was so caused.

**9. Instruction to Employees.** Railroads shall promulgate among their employees instructions for the prevention and extinguishment of fires along the right of way.

**10. Patrol.** They shall, through the railroad deputies or other officials, organize and maintain a system of patrol during dry weather along the sections of the right of way where there is danger of fire.

**11. Neglect.** The fact that a section of the right of way was not patrolled shall not be evidence of negligence to debar such railroad from insurance on property as provided in section 3.

### Entry on Land

**12. To Clear Brush, etc.** Railroads shall have the right, subject to the provisions hereof, to enter upon forest or brush land adjacent to the right of way, without liability for trespass, for the purpose of clearing brush, grass and inflammable material from such land for a distance of twenty-five feet from the railroad right of way but shall not remove valuable timber growth without recompense to the owner.

**13. Notice.** Prior to making such a clearing, the railroad shall give the owner thereof notice of its intention by letter mailed to his last known address, and thereafter by publishing said notice at least once in two newspapers of general circulation in the county. Said notice shall quote sections 12 to 17.

**14. Failure to Object.** If the owner shall not file an objection to such clearing with the commission within fifteen days from the date of such publication he shall be deemed to have given consent.

**15. Objection.** Upon the filing of such an objection, the commission shall notify the owner of the time and place when he may appear to show cause why such clearing should not be done.

**16. Hearing; Order.** After a hearing, the commission may sustain the objection or permit the clearing to be done, and may prescribe the extent and methods of such clearing.

**17. Assistance.** The commission may require the assistance of the forestry and recreation commission and the state forester in furnishing information pertinent to carrying out the foregoing provision.

**18. Reports.** The forestry and recreation commission or its authorized agents shall have the right to enter upon railroad or other property to ascertain facts, and from time to time shall report the same to the commission.

**60. Repeal.** Amend chapter 301 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 301

#### Passengers, Freight, and Railroad-Police General Provisions Concerning Service

**1. Reasonable and Equal Service.** Every railroad shall furnish to all persons reasonable and equal terms, facilities and accommodations for the transportation of persons and property over their railroad, and for the use of depots, buildings, and grounds in connection with such transportation, and for the interchange of such traffic at points of connection with other railroads.

**2. Prohibited Equipment.** No cars of wood superstructure shall be used for the transportation of passengers on any railroad within this state after January 1, 1954, without the consent of the public utilities commission.

**3. Penalty.** If any railroad shall not comply with the provisions of the two preceding sections it shall be fined not more than one thousand dollars for each offense, and shall be liable to the party injured for his damages in an action on the case.

#### Passengers

**4. Collecting Fares.** The conductors shall promptly collect, of passengers not entitled to ride free, the established fares or the tickets showing that they have been paid.

**5. Removal for Non-Payment.** If any such passenger shall not pay his fare or give up to the conductor a ticket show-

ing payment thereof the conductor may remove him from the train at some passenger station on the road, and may require others to aid him. If any person refuses or neglects to give such aid when required he shall be fined not more than twenty dollars.

**6. Evading Fare.** If a person fraudulently evades or attempts to evade the payment of the established fare by giving a false answer to the collector thereof, or by traveling beyond the point to which he has paid, or by leaving the train without having paid the fare, or by any other means, he shall be fined not more than ten dollars.

**7. Official Misconduct.** If a conductor, ticket-master or other officer of a railroad shall knowingly violate any provision of this chapter relative to fares he shall be fined not more than fifty dollars and shall be incapable of holding any office or any employment on the railroad.

**8. Disorderly Conduct.** If a passenger or other person behaves in a noisy or disorderly manner, or is intoxicated, or will not cease drinking intoxicating liquor of any kind, upon a railway train, or in a railroad or railway waiting room, upon the request of the conductor of the train, or the person in charge of such waiting room, he shall be fined not more than twenty dollars, or imprisoned not more than six months.

**9. Detention of Offender.** The conductor, baggage master or brakeman on the train may remove such person to the baggage car, and there detain him until he arrives at his destination, or until he is placed in the custody of an officer for lawful detention; and the person in charge of such waiting room may remove such person from the car or waiting room, or detain him until he is placed in the custody of an officer.

**10. Stealing Rides.** Whoever, without right, rides or attempts to ride upon a locomotive engine, tender, freight car, caboose or other conveyance not a part of a passenger train, upon any railroad in this state, shall be fined not more than fifty dollars, or imprisoned not more than six months.

**11. Arrest.** A sheriff, deputy sheriff, police officer or railroad police officer, upon view of an offense described in section 10, may, without a warrant, arrest the offender and take him to the nearest police station or other place of lawful detention in the county where the offense was committed.

### Heating Passenger Cars

**12. Methods.** No passenger, mail or baggage car, except when in mixed trains composed of passenger and freight cars, shall be heated by common stoves or by any method of heating that has not been approved in writing by the commission, or that is not permitted by them in the making of experiments.

**13. Penalty.** If a railroad violates the provisions of the preceding section it shall be fined not more than five hundred dollars.

### Baggage

**14. Amount.** Every passenger, in consideration of the fare paid by him, shall be entitled to have a reasonable amount of personal baggage carried by the same train on which he goes; but if such baggage exceeds in value one hundred dollars the railroad shall not be liable for its loss or damage beyond that sum, unless notice is given to them of its value and an extra charge is paid for the risk.

**15. Liability.** Every railroad shall be responsible for the safe transportation of all such baggage and for its delivery at the station for which the same was received, and in default thereof shall be liable to pay the owner the damage sustained, after the expiration of thirty days from the time notice of the loss or injury is given to some officer, agent or servant of the railroad.

**16. Handling.** If any baggage-master, brakeman, express agent, stage-driver, hackman, porter or other person, whose duty it is to handle, remove or take care of baggage of passengers or travelers, shall recklessly or wilfully injure or destroy any trunk, valise, box, package or parcel, while loading, transporting, unloading, delivering, removing or storing it, he shall be fined not more than twenty dollars, or imprisoned not more than six months, or both.

**17. Copy to be Posted.** Every railroad shall cause a copy of the preceding section to be kept posted at every depot on their railroad.

### Sale of Unclaimed Freight

**18. Perishable Articles.** A railroad, or any common carrier, may sell by auction or private sale any fresh fish, fresh meat, fruits, vegetables, grains or other quickly perishable

articles that have been transported by them and have not been removed by the owner or consignee within a reasonable time after their arrival at destination, and notice of the arrival has been given to him.

**19. Other Property.** It may sell by auction any other property that has been transported by it and has not been removed by the owner or consignee within one year after its arrival at the place of destination.

**20. Notice.** In such case it shall post a notice of the time and place of the sale and of the articles to be sold, in two or more public places in the town where the property is situated, seven days at least before the day of sale, and, if the value of the property exceeds one hundred dollars, it shall publish a like notice in some newspaper published in that or some neighboring town.

**21. Accounting.** It shall make a statement of its doings in making the sale, of the proceeds thereof, of the charges and expenses incident thereto and of its charges against the consignee or owner, and shall cause the same to be recorded in the town clerk's office, and it shall pay on demand the balance of the proceeds above such charges to the owner of the property or to the person entitled thereto.

#### **Railroad Police Officers, Etc.**

**22. Appointment.** The selectmen of a town, or the mayor and aldermen of a city, may, upon petition of a railroad having a passenger station within the limits of such town or city, appoint as many of the employees of such railroad, as they may deem proper, police officers to act as railroad police for the purposes and with the powers herein set forth.

**23. Record.** A copy of the record of the appointment of such railroad police officers shall be filed, by the clerk of the railroad upon whose petition they were appointed, with the clerk of each town or city through or into which the railroad runs and in which it is intended that they shall act; and the filing of such copy shall constitute the persons named therein railroad police officers within such towns or cities.

**24. Tenure.** Police officers so appointed shall hold office until such appointment shall be revoked by the selectmen, or mayor and aldermen, unless their powers shall be terminated as hereinafter provided.

**25. Terminating Officers' Power.** Whenever a railroad shall cease to require the services of any of the railroad police officers appointed upon its petition it may file notice to that effect in the several offices in which notice of the appointment was filed, and thereupon the power of such officers shall cease.

**26. Badge.** Every railroad police officer shall, when on duty, except as a detective, wear a metallic badge in plain view, with the words "railroad police," and the name of the railroad for which he is appointed, inscribed thereon.

**27. Compensation.** The compensation of railroad police officers shall be paid by the railroad upon whose petition they were appointed.

**28. Powers.** Railroad police officers may preserve order within and about the premises and upon the cars of the railroad upon whose petition they were appointed; they may arrest, without a warrant, all idle, intoxicated or disorderly persons frequenting such premises or cars, and obstructing or annoying, by their presence or conduct, the traveling public using the same, and all persons committing thereon any offense against the laws of the state, and may take the persons so arrested to the nearest police station, or other place of lawful detention, in the county where the offense was committed.

**29. Detention and Arraignment of Offenders.** They may carry the persons so arrested to the next railroad station at which the train on which they are traveling stops, although in another county, and detain them there until the next passenger train goes to the county wherein the offense was committed, on which they shall be carried back to be taken to such police station or other place of lawful detention. The persons so arrested shall be discharged, or taken before a municipal court or a justice of the peace to answer for their offense, within twenty-four hours after their arrest.

**30. Loiterers.** If a person without right loiters or remains within a station house of a railroad, or upon the platform or grounds adjacent to the station, after being requested to leave the same by the station agent or by a railroad police officer, he shall be fined not more than twenty dollars.

**31. Prosecutions.** Prosecutions for offenses against the provisions of this chapter, except those as to which other special provision is made, shall be begun within six months after the offense is committed.

**61. Furnishing Information to Public Utilities Commission.**

Amend section 9 of chapter 302 of the Revised Laws by striking out said section and inserting in place thereof the following: **9. Duties of Holding Companies.** Any corporation, whether foreign or domestic, which owns a majority of the capital stock of any railroad in the state, or operates the same under lease or otherwise, shall make returns and furnish information to the commission as to such railroad properties and railroad business; and all provisions of law respecting reports and information concerning railroads and respecting the issue of securities shall apply to such railroad properties and railroad business.

**62. Repeal.** Amend chapter 303 of the Revised Laws by striking out said chapter and inserting in place thereof the following new chapter:

### **Chapter 303**

#### **Maintenance of Parks by Railroads and Bus Lines**

**1. Authority.** With the consent of the commission, and upon such terms as it may approve, railroads and bus lines may hold or acquire, by lease or purchase, suitable lands, and convert and maintain the same, as a part of their system, into parks and pleasure grounds for the accommodation and recreation of the public.

**2. Structures.** Such lands may be properly inclosed and suitable buildings and structures may be erected and maintained thereon, for the convenience, entertainment and comfort of the public.

**3. Admission; Regulations.** Every railroad and bus line maintaining a park or place of resort may charge a reasonable fee for admission thereto, and shall prescribe suitable rules and regulations for the conduct and government thereof, which, when approved by the commission in writing, and when printed copies thereof shall have been posted in and about said park or place of resort, shall be respected and obeyed by all persons entering upon said premises, or frequenting the same.

**4. Penalty.** Any person who shall violate any of the rules and regulations established for the government of any park or place of resort which has been established in accordance with the provisions of this chapter, shall be fined not



more than fifty dollars, or imprisoned not more than thirty days, or both.

**63. Motor Carrier Act.** Amend section 28 of chapter 304 of the Revised Laws by striking out the same and inserting in place thereof the following: **28. Disposition of Revenues.** All fees and fines collected pursuant to the provisions of this chapter and chapter 290 of the Revised Laws shall be made available to the commission in a joint account for the purposes of administration and enforcement of this chapter and chapter 290.

**64. Control of Public Utilities Commission.** Amend paragraph II of section 1 of chapter 305 of the Revised Laws by striking out the same and inserting in place thereof the following: II. "Affiliate" shall mean and include the following: (a) Any person that directly or indirectly owns, controls, or holds with power to vote, a majority of the outstanding voting securities or such minority thereof as to give him substantial control of such a public utility. (b) Every person, who the commission may determine as a matter of fact after investigation and hearing, is either directly or indirectly through intermediate persons or otherwise, actually exercising any substantial influence over the policies and actions of a public utility, whether or not in conjunction with one or more persons. (c) Any person with whom a public utility has a management or service contract or arrangement of the character set forth in section 2, but not including contracts for personal services with persons not otherwise affiliated.

**65. Present Commissioners.** The members of the public service commission in office at the time this act takes effect shall continue in office as public utilities commissioners for the balance of their respective terms.

**66. Takes Effect.** This act shall take effect September 1, 1951.

[Approved August 7, 1951.]

**CHAPTER 204.****AN ACT TO IMPLEMENT CIVIL DEFENSE POWERS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Duties of Adjutant General.** Amend chapter 177 of the Revised Laws by inserting after section 21 thereof the following section: **22. Control of Explosives.** Whenever in his judgment the common defense of public safety of the state requires such action, the governor is hereby authorized to direct the adjutant general of this state to control the storage, sale, and use of explosives, except small arms ammunition, for the purpose of preventing such explosives from endangering the public safety by coming into the possession of unfriendly forces, domestic or foreign, and for the purpose of advising the military, naval, and civil defense authorities of this state of the quantities and location of such explosives for use in the common defense of this state. Upon the governor so directing, the adjutant general is hereby authorized to promulgate regulations requiring dealers to register their stocks and sales of such explosives, and requiring boards of firewards, police officers, or selectmen, as the case may be, to assist in such control measures as he shall institute in the exercise of this authority. No records of the location and amounts of explosives compiled by the adjutant general hereunder shall be deemed public records, but shall be subject to such security classification and restricted to such military, naval, and civil defense uses as the adjutant general, with the approval of the governor and council, may prescribe.

**2. Powers of the Governor and Council.** Amend chapter 304 of the Laws of 1949 by adding after section 5 the following new section: **5-a. Taking of Private Property, Compensation Therefor and the Use Thereof.** I. Whenever a civil defense emergency necessarily requires such action, the governor with the advice and consent of the council may, by warrant specifying the particular real property and the personal property by specification of the types, quantities, and general location thereof, together with the names of the owners, where known, authorize the state director, by his agents, to (1) take possession of any private real estate and the improvements thereon for a limited period and (2) take

title in the name of the state to any such improvement when the exigencies of the situation require its destruction, and (3) take possession or title in the name of the state to (a) any high explosives, except small arms ammunition; (b) any horses, vehicles, motor vehicles, aeroplanes, ships, boats or any other means of conveyance, including the rolling stock of steam or electric railroads or of street railways; (c) any cattle, poultry, provisions for man or beast, clothing, bedding, medicines and medical supplies in excess of the reasonable and immediate needs of the owner and his household; (d) any fuel for heating or other necessary purposes; (e) any gasoline or other means of motor or engine propulsion; but such takings shall be strictly limited to the necessities of the situation. The person proposing to take possession of any such property in the name of the state shall present to the owner or person in possession or control thereof a copy of the warrant under which he purports to act certified by the state director, and upon taking possession or control a receipt therefor specifically listing the property so taken and specifically referring to the warrant authorizing the taking.

II. Whenever possession of any real estate or title to any personal property is taken under this section the owner or possessor thereof, hereinafter referred to as the claimant, shall be entitled to damages on account of such taking. Upon the taking of any such property the chief justice of the superior court is authorized to appoint a commission of three suitable persons to assess fair and just compensation in cases where the amount cannot be determined by agreement. Said chief justice shall fix the *per diem* compensation of the members of the commission and fill any vacancies which may occur therein. Said commission shall determine what sum shall justly compensate the claimant for the property so taken and may in the performance of its duties hire and the state shall pay for the services of such skilled and disinterested appraisers as said commission shall deem necessary to assist in the performance of its duty.

III. Any claimant aggrieved by the award made by the commission may appeal to the superior court from the decision within sixty days from the granting of the award, as in the case of petitions for the laying out of highways. All final awards or judgments entered against the state in such pro-

ceedings and the fees and expenses of said commission shall be promptly paid by the state treasurer, on warrant of the governor and council, from any money in the general fund of the treasury not otherwise appropriated.

IV. The property taken under this section shall be used in such manner as the governor, with the advice and consent of the council, shall deem for the best interests of the state, its inhabitants or the United States, which manner may include the sale at the prevailing market price or the gratuitous distribution of the articles enumerated in clauses (c), (d) and (e) of the first sentence of this section. All moneys derived from the sale of any such property shall be paid over to the state treasurer and by him deposited in the general funds of the state.

V. Any person who shall wilfully take possession of, or attempt to take possession of, property, purporting to act under this section but without authority to so act, whether by false pretense or otherwise, shall, upon conviction, be fined an amount not less than twice nor more than three times the value of the property taken or attempted to be taken (one-half of which fine shall be paid to the owner of the property, the other half of which shall be paid to the county) or imprisoned not more than five years, or both.

3. **Power to Appoint Local Civil Defense Director.** Amend section 7 of chapter 304 of the Laws of 1949 by adding after the word "selectmen" in the tenth line the words: In the event the city council of a city or board of selectmen of a town fail to appoint a local director within thirty days of receipt of a formal request from the state director, the state director with the approval of the governor and council, shall be empowered to appoint a local director forthwith, so that said section as amended shall read as follows: **7. Local Organization for Civil Defense.** Each political subdivision of the state is authorized to establish a local organization for civil defense in accordance with the state civil defense plan and program. Each local organization for civil defense shall have a local director who shall be appointed by the city council of a city or board of selectmen of a town, and who shall have direct responsibility for the organization, administration and operation of such local organization for civil defense, subject to the direction and control of such city council or selectmen. In

the event the city council of a city or board of selectmen of a town fail to appoint a local director within thirty days of receipt of a formal request from the state director, the state director with the approval of the governor and council, shall be empowered to appoint a local director forthwith. Each local organization for civil defense shall perform civil defense functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of section 8 of this act. In carrying out the provisions hereof each political subdivision, in which any disaster as described in section 2 hereof occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster.

**4. Adjutant General.** Amend chapter 14-A of the Revised Laws, as inserted by chapter 21, Laws of 1943, by inserting after section 7 the following new section: **7-a. Purchase of Equipment and Supplies for Military Defense Purposes.** Whenever in the opinion of the adjutant general the military security of the state would be endangered by compliance with sections 5 to 7, inclusive, of this chapter, in the purchase of specific equipment and supplies to be used or required for the military defense of the state, the governor may authorize the adjutant general to negotiate for the purchase of such supplies from any manufacturer, or supplier thereof, upon such terms as may be deemed most advantageous to the state.

**5. Takes Effect.** This act shall take effect upon its passage. [Approved August 7, 1951.]

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## CHAPTER 205.

AN ACT AUTHORIZING THE PUBLICATION AND SALE OF MILITARY RECORDS OF NEW HAMPSHIRE WAR VETERANS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. War Veterans.** Amend chapter 143 of the Revised Laws by inserting after section 99 the following new section:

**99-a. Publication of Records.** The adjutant general is empowered and authorized to publish, distribute for general information and use and sell, a compilation of the individual military records of men and women as recorded and accredited by the federal government to the state of New Hampshire for active service as members of all branches of the armed forces of the United States in the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, the tour of duty of the National Guard on the Mexican Border in 1916-1917, and in World Wars I and II. The adjutant general shall determine the price to be paid for a copy of such military record. The proceeds from sales of copies of such record shall be used to defray the cost of publication of such record.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 7, 1951.]

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## CHAPTER 206.

### AN ACT RELATIVE TO ELIGIBILITY FOR OLD AGE ASSISTANCE OF CERTAIN PERSONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Old Age Assistance.** Amend section 12 of chapter 126 of the Revised Laws by inserting after paragraph (a) the following new paragraph: (a) (a). For the purposes hereof a woman born in the United States shall be eligible for aid to the aged who is sixty-five years of age; is not on account of her physical condition in need of continued institutional care; has been a resident of the state for at least five years within the nine years immediately preceding her application for such aid; has resided in the state continuously for one year immediately preceding said application, was married between the dates of March 2, 1907 and September 22, 1922, to an alien and lost her citizenship by such marriage.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 7, 1951.]

**CHAPTER 207.****AN ACT RELATING TO ACCIDENT AND SICKNESS POLICY  
PROVISIONS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Policy Provisions.** Amend chapter 331, Revised Laws, by striking out sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 thereof and inserting in place thereof the following: **4. Form of Policy.** (A) No policy of accident and sickness insurance shall be delivered or issued for delivery to any person in this state unless: (1) the entire money and other considerations therefor are expressed therein; and (2) the time at which the insurance takes effect and terminates is expressed therein; and (3) it purports to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any two or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder; and (4) the style, arrangement and over-all appearance of the policy give no undue prominence to any portion of the text, and unless every printed portion of the text of the policy and of any endorsements or attached papers is plainly printed in light-faced type of a style in general use, the size of which shall be uniform and not less than ten-point with a lower-case unspaced alphabet length not less than one hundred and twenty-point (the "text" shall include all printed matter except the name and address of the insurer, name or title of the policy, the brief description if any, and captions and subcaptions); and (5) the exceptions and reductions of indemnity are set forth in the policy, and, except those which are set forth in section 5 of this chapter, are printed, at the insurer's option, either included with the benefit provision to which they apply, or under an appropriate caption such as "Exceptions," or "Exceptions and Reductions," provided that if an exception or reduction specifically applies only to a particular benefit of the policy, a statement of such exception or reduction shall be included with the benefit provision to which it applies; and (6) each such form, including riders and

endorsements, shall be identified by a form number in the lower left-hand corner of the first page thereof; and (7) it contains no provision purporting to make any portion of the charter, rules, constitution, or by-laws of the insurer a part of the policy unless such portion is set forth in full in the policy, except in the case of the incorporation of, or reference to, a statement of rates or classification of risks, or short-rate table filed with the commissioner.

(B) If any policy is issued by an insurer domiciled in this state for delivery to a person residing in another state, and if the official having responsibility for the administration of the insurance laws of such other state shall have advised the commissioner that any such policy is not subject to approval or disapproval by such official, the commissioner may by ruling require that such policy meet the standards set forth in subsection (A) of this section and in section 5.

**5. Accident and Sickness Policy Provisions.** (A) Required Provisions. Except as provided in paragraph (C) of this section each such policy delivered or issued for delivery to any person in this state shall contain the provisions specified in this subsection in the words in which the same appear in this section; provided, however, that the insurer may, at its option, substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary. Such provisions shall be preceded individually by the caption appearing in this subsection or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(1) A provision as follows: Entire Contract; Changes: This policy, including the endorsements and the attached papers, if any, constitutes the entire contract of insurance. No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto. No agent has authority to change this policy or to waive any of its provisions.

(2) A provision as follows: Time Limit on Certain Defenses: (a) After three years from the date of issue of this policy no misstatements, except fraudulent misstatements, made by the applicant in the application for such policy shall



be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such three year period.

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial three year period, nor to limit the application of section 5 (B), (1), (2), (3), (4) and (5) in the event of misstatement with respect to age or occupation or other insurance.)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "Incontestable": After this policy has been in force for a period of three years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.)

(b) No claim for loss incurred or disability (as defined in the policy) commencing after three years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy.

(3) A provision as follows: Grace Period: A grace period of ..... (insert a number not less than "7" for weekly premium policies, "10" for monthly premium policies and "31" for all other policies) days will be granted for the payment of each premium falling due after the first premium, during which grace period the policy shall continue in force.

(A policy which contains a cancellation provision may add, at the end of the above provision,

subject to the right of the insurer to cancel in accordance with the cancellation provision hereof.

A policy in which the insurer reserves the right to refuse any renewal shall have, at the beginning of the above provision,

Unless not less than five days prior to the premium due date the insurer has delivered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted,).

(4) A provision as follows: Reinstatement: If any renewal premium be not paid within the time granted the insured for payment, a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium, without requiring in connection therewith an application for reinstatement, shall reinstate the policy; provided, however, that if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered, the policy will be reinstated upon approval of such application by the insurer or, lacking such approval, upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application. The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten days after such date. In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium, subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement. Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid, but not to any period more than sixty days prior to the date of reinstatement.

(The last sentence of the above provision may be omitted from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue.)

(5) A provision as follows: Notice of Claim: Written notice of claim must be given to the insurer within twenty days after the occurrence or commencement of any loss covered by the policy, or as soon thereafter as is reasonably

possible. Notice given by or on behalf of the insured or the beneficiary to the insurer at ..... (insert the location of such office as the insurer may designate for the purpose), or to any authorized agent of the insurer, with information sufficient to identify the insured, shall be deemed notice to the insurer.

(In a policy providing a loss-of-time benefit which may be payable for at least two years, an insurer may at its option insert the following between the first and second sentences of the above provision: Subject to the qualifications set forth below, if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years, he shall, at least once in every six months after having given notice of claim, give to the insurer notice of continuance of said disability, except in the event of legal incapacity. The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision. Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given.)

(6) A provision as follows: Claim Forms: The insurer, upon receipt of a notice of claim, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not furnished within fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting, within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, the character and the extent of the loss for which claim is made.

(7) A provision as follows: Proofs of Loss: Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate nor reduce

any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the absence of legal capacity, later than one year from the time proof is otherwise required.

(8) A provision as follows: Time of Payment of Claims: Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss. Subject to due written proof of loss, all accrued indemnities for loss for which this policy provides periodic payment will be paid . . . . . (insert period for payment which must not be less frequently than monthly) and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof.

(9) A provision as follows: Payment of Claims: Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment. If no such designation or provision is then effective, such indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death may, at the option of the insurer, be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured.

(The following provisions, or either of them, may be included with the foregoing provision at the option of the insurer:

If any indemnity of this policy shall be payable to the estate of the insured, or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release, the insurer may pay such indemnity, up to an amount not exceeding \$. . . . . (insert an amount which shall not exceed \$1000), to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment.

Subject to any written direction of the insured in the application or otherwise all or a portion of any indemnities

provided by this policy on account of hospital, nursing, medical, or surgical services may, at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss, be paid directly to the hospital or person rendering such services; but it is not required that the service be rendered by a particular hospital or person.)

(10) A provision as follows: Physical Examinations and Autopsy: The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder and to make an autopsy in case of death where it is not forbidden by law.

(11) A provision as follows: Legal Actions: No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after the expiration of three years after the time written proof of loss is required to be furnished.

(12) A provision as follows: Change of Beneficiary: Unless the insured makes an irrevocable designation of beneficiary, the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries, or to any other changes in this policy.

(The first clause of this provision, relating to the irrevocable designation of beneficiary, may be omitted at the insurer's option.)

(B) Other Provisions. Except as provided in paragraph (C) of this section, no such policy delivered or issued for delivery to any person in this state shall contain provisions respecting the matters set forth below unless such provisions are in the words in which the same appear in this section; provided, however, that the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this subsection or, at

the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(1) A provision as follows: **Change of Occupation:** If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified, the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy, the insurer, upon receipt of proof of such change of occupation, will reduce the premium rate accordingly, and will return the excess pro-rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof, whichever is the more recent. In applying this provision, the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued; but if such filing was not required, then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation.

(2) A provision as follows: **Misstatement of Age:** If the age of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age.

(3) A provision as follows: **Other Insurance in This Insurer:** If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for ..... (insert type of coverage or coverages) in excess of \$. ..... (insert maximum limit of indemnity or indemnities) the excess insurance shall

be void and all premiums paid for such excess shall be returned to the insured or to his estate.

or, in lieu thereof:

Insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to the one such policy elected by the insured, his beneficiary or his estate, as the case may be, and the insurer will return all premiums paid for all other such policies.

(4) A provision as follows: Insurance with Other Insurers: If there be other valid coverage, not with this insurer, providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss, and for the return of such portion of the premiums paid as shall exceed the pro-rata portion for the amount so determined. For the purpose of applying this provision when other coverage is on a provision of service basis, the "like amount" of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage.

(If the foregoing policy provision is included in a policy which also contains the next following policy provision there shall be added to the caption of the foregoing provision the phrase "Expense Incurred Benefits." The insurer may, at its option, include in this provision a definition of "other valid coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and by hospital or medical service organizations, and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance, automobile medical payments insurance, or coverage provided by hospital or medical service organizations

or by union welfare plans or employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage.")

(5) A provision as follows: Insurance with Other Insurers: If there be other valid coverage, not with this insurer, providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss, and for the return of such portion of the premium paid as shall exceed the pro-rata portion for the indemnities thus determined.

(If the foregoing policy provision is included in a policy which also contains the next preceding policy provision there shall be added to the caption of the foregoing provision the phrase "Other Benefits." The insurer may, at its option, include in this provision a definition of "other valid coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance, or benefits provided by union welfare plans or by employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute)



whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage.")

(6) A provision as follows: Relation of Earnings to Insurance: If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured, whether payable on a weekly or monthly basis, shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two years immediately preceding a disability for which claim is made, whichever is the greater, the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the pro-rata amount of the premiums for the benefits actually paid hereunder; but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of two hundred dollars or the sum of the monthly benefits specified in such coverages, whichever is the lesser, nor shall it operate to reduce benefits other than those payable for loss of time.

(The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue. The insurer may, at its option, include in this provision a definition of "valid loss of time coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, or to any other coverage the inclusion of which may be approved by the commissioner or any combination of such coverages. In the absence of such

definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute), or benefits provided by union welfare plans or by employer or employee benefit organizations.)

(7) A provision as follows: Unpaid Premium: Upon the payment of a claim under this policy, any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

(8) A provision as follows: Cancellation: The insurer may cancel this policy at any time by written notice delivered to the insured, or mailed to his last address as shown by the records of the insurer, stating when, not less than five days thereafter, such cancellation shall be effective; and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice delivered or mailed to the insurer, effective upon receipt or on such later date as may be specified in such notice. In the event of cancellation, the insurer will return promptly the unearned portion of any premium paid. If the insured cancels, the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. If the insurer cancels, the earned premium shall be computed pro-rata. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation.

(9) A provision as follows: Conformity with State Statutes: Any provision of this policy which, on its effective date, is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes.

(C) Inapplicable or Inconsistent Provisions. If any provision of this section is in whole or in part inapplicable to or inconsistent with the coverage provided by a particular form of policy the insurer, with the approval of the commissioner, shall omit from such policy any inapplicable provision or part of a provision, and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy.

(D) Order of Certain Policy Provisions. The provisions which are the subject of subsections (A) and (B) of this section, or any corresponding provisions which are used in lieu thereof in accordance with such subsections shall be printed in the consecutive order of the provisions in such subsections or, at the option of the insurer, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, provided the resulting policy shall not be in whole or in part unintelligible, uncertain, ambiguous, abstruse, or likely to mislead a person to whom the policy is offered, delivered or issued.

(E) Third Party Ownership. The word "insured," as used in this chapter, shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities, benefits and rights provided therein.

(F) Requirements of Other Jurisdictions. (1) Any policy of a foreign or alien insurer, when delivered or issued for delivery to any person in this state, may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of this chapter and which is prescribed or required by the law of the state under which the insurer is organized.

(2) Any policy of a domestic insurer may, when issued for delivery in any other state or country, contain any provision permitted or required by the laws of such other state or country.

(G) Filing Procedure. The commissioner may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to this chapter as are necessary, proper or advisable to the administration of this chapter. This provision shall not abridge any other authority granted the commissioner by law.

**6. Conforming to Statute.** (A) Other Policy Provisions. No policy provision which is not subject to section 5 of this chapter shall make a policy, or any portion thereof, less favorable in any respect to the insured or the beneficiary than the provisions thereof which are subject to this chapter.

(B) Policy Conflicting with this Chapter. A policy delivered or issued for delivery to any person in this state in

violation of this chapter shall be held valid but shall be construed as provided in this chapter. When any provision in a policy subject to this chapter is in conflict with any provision of this chapter, the rights, duties and obligations of the insurer, the insured and the beneficiary shall be governed by the provisions of this chapter.

**2. Other Provisions.** Amend chapter 331, Revised Laws, by striking out sections 19 and 20 thereof and inserting in place thereof the following: **19. Age Limit.** If any such policy contains a provision establishing, as an age limit or otherwise, a date after which the coverage provided by the policy will not be effective, and if such date falls within a period for which premium is accepted by the insurer or if the insurer accepts a premium after such date, the coverage provided by the policy will continue in force subject to any right of cancellation until the end of the period for which premium has been accepted. In the event the age of the insured has been misstated and if, according to the correct age of the insured, the coverage provided by the policy would not have become effective, or would have ceased prior to the acceptance of such premium or premiums, then the liability of the insurer shall be limited to the refund, upon request, of all premiums paid for the period not covered by the policy.

**20. Non-Application to Certain Policies.** Except as otherwise specifically provided, nothing in this chapter shall apply to or affect (1) any policy of workmen's compensation insurance or any policy of liability insurance with or without supplementary expense coverage therein; or (2) any policy or contract of reinsurance; or (3) any blanket or group policy of insurance; or (4) life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as (a) provide additional benefits in case of death or dismemberment or loss of sight by accident, or as (b) operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract.

**3. Supplemental Contracts.** Amend section 24 of chapter 331 of the Revised Laws by striking out the word "such" in the first line thereof and inserting after the word "contract"

in said line the words, referred to in paragraph (4) of section 20 of this chapter, so that said section as amended shall read as follows: **24. Approval by Commissioner.** No supplemental contract referred to in paragraph (4) of section 20 of this chapter shall be issued or delivered to any person in this state until a copy of the form thereof has been submitted to, and approved by, the commissioner, under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him.

**4. Repeal.** Section 22, 23 and 27 of chapter 331 of the Revised Laws are hereby repealed.

**5. Takes Effect.** This act shall take effect on the first day of July, 1951. A policy, rider or endorsement, which could have been lawfully used or delivered or issued for delivery to any person in this state immediately before the effective date of this act may be used or delivered or issued for delivery to any such person during five years after the effective date of this act without being subject to the provisions of this act.

[Approved August 8, 1951.]

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## CHAPTER 208.

### AN ACT RELATING TO ESCAPES FROM PLACES OF LAWFUL CONFINEMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Escapes from Places of Lawful Confinement.** Amend chapter 457 of the Revised Laws by inserting after section 8 the following new subdivision:

#### **Escapes from Places of Lawful Confinement**

**8-a. Penalty.** Whoever, being lawfully detained in any jail or other place of confinement, except the state prison, breaks or escapes therefrom, or attempts to do so, shall be punished by imprisonment or confinement for not less than thirty days and not more than three years; the sentence to such imprisonment or confinement shall not be concurrent with

any other sentence then being served or thereafter to be imposed upon such escapee.

**2. Repeal.** Section 9 of chapter 462 of the Revised Laws, relative to escapes from houses of correction, is hereby repealed.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved August 10, 1951.]

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## CHAPTER 209.

AN ACT REPEALING ENDORSEMENT OF WORLD FEDERATION AND  
WORLD GOVERNMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Repeal.** Chapter 217 of the Laws of 1945 and chapter 331 of the Laws of 1949, relative to world federation and world government, are hereby repealed.

**2. Copies.** The secretary of state is hereby directed to send a copy of this act to each of the senators and members of the house of representatives in Congress from the state of New Hampshire.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved August 13, 1951.]

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## CHAPTER 210.

AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE  
WATERS IN THE COUNTIES OF SULLIVAN AND GRAFTON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947, and amended by chapter 1, Laws of 1950, as follows:

I. Morgan Pond Brook in the town of Springfield and all

waters flowing into said brook upstream of the New London water precinct intake, Class A.

II. Ledge Pond and its tributaries in the town of Sunapee serving as a public water supply for the village of George's Mills, Class A.

III. Gilman Pond and its tributaries from their sources to the outlet of Gilman Pond in the town of Unity serving as the public water supply for the town of Newport, Class A.

IV. Grandy Brook and its tributaries in the city of Claremont from their sources to the outlet of Straw Reservoir serving as a public water supply for the city of Claremont, Class A.

V. Whitewater Brook and its tributaries, in the towns of Cornish and Croydon and the city of Claremont, from their sources to the public water supply intake reservoir on Whitewater Brook serving the city of Claremont, Class A.

VI. All waters of the Sugar River Watershed, in the towns of Enfield, Grafton, Plainfield, Grantham, Springfield, New London, Cornish, Croydon, Sunapee, Newport, Newbury, Unity, Goshen, and Lempster, and the city of Claremont, except those portions in paragraphs I, II, III, IV, V, and except the Sugar River, Class B-1.

2. **Takes Effect.** This act shall take effect upon its passage. [Approved August 13, 1951.]

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## CHAPTER 211.

### AN ACT RELATIVE TO SCHOOL DISTRICT INSURANCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **School Districts.** Amend section 3 of chapter 138 of the Revised Laws by inserting after the word "insurance" in the fifth line the words, against such risks of loss, cost or damage to itself, its employees or its pupils as its school board may determine, so that said section as amended shall read as follows: 3. **Powers of Districts.** School districts may raise money, as required by law, or, in addition thereto, to procure land for schoolhouse lots and for the enlargement of existing

lots; to build, purchase, rent, repair or remove schoolhouses and outbuildings, and buildings to be used for occupancy by teachers in the employ of such school district; to procure insurance against such risks of loss, cost or damage to itself, its employees or its pupils as its school board may determine; to plant and care for shade and ornamental trees upon school-house lots; to provide suitable furniture, books, maps, charts, apparatus and conveniences for schools; to purchase vehicles for the transportation of children; to provide for health and sanitation, and to pay debts. A school district may authorize its school board to hire money for any of the purposes above mentioned at the annual meeting, by majority vote of the legal voters present and voting.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved August 13, 1951.]

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## CHAPTER 212.

### AN ACT RELATIVE TO PAYMENT OF EXPENSES OF FOREST FIRES, KINDLING FIRES, AND PENALTIES FOR VIOLATIONS OF FIRE LAWS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Forest Fires.** Amend section 24 of chapter 233 of the Revised Laws as amended by section 1, chapter 93, Laws of 1949, by adding at the end thereof, the words: The provisions of this section shall not apply to expenses incurred in fighting any forest or brush fire when, as determined by the state forestry and recreation commission, such fire was caused by the negligence of the town or of its agents. Any determination of the forestry and recreation commission under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws, so that said section as amended shall read as follows: **24. Apportionment.** The expenses of fighting forest and brush fires in towns, and other expenses lawfully incurred by wardens and deputy wardens of said towns in preventing forest fires, shall be borne equally by the municipality and the state, except as otherwise herein provided, and except that when in



any one town or city fiscal year the net total of sums required for the suppression and prevention of forest and brush fires, excluding the initial cost of fire-fighting equipment, to be so borne by such municipality, computed at rates within limits established by the forestry and recreation commission and the state forester, shall equal one-half of one per cent of the latest equalized locally assessed valuation on such municipality, expenses incurred in excess of such sum shall be borne entirely by the state on the basis of the rate limits above specified. The provisions of this section shall not apply to expenses incurred in fighting any forest or brush fire when, as determined by the state forestry and recreation commission, such fire was caused by the negligence of the town or of its agents. Any determination of the forestry and recreation commission under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws.

**2. Permits for Kindling Fires.** Amend subsection (b) of section 35 of chapter 233 of the Revised Laws by striking out said subsection and inserting in place thereof the following: (b) No person, firm or corporation shall kindle or cause to be kindled any fire or shall burn or cause to be burned any material, and no city or town shall kindle or maintain a fire on a public dump, in or near woodlands, pasture, brush, sprout, waste, or cut-over land, or where fire may be communicated to such land, except when the ground is covered with snow, without first obtaining a written permit from the forest fire warden of the town where the burning is to be done unless the same is in the presence of the warden or his agent. The state forester may make and adopt such reasonable rules and regulations as may be necessary to give effect to this provision, and he shall prepare all permits issued by forest fire wardens.

**3. Inflammable Material.** Amend chapter 233 of the Revised Laws as amended by chapter 37, Laws of 1945, by inserting after section 36 the following new section: **36-a. Inflammable Material.** No person, firm or corporation shall place, drop or throw any inflammable waste material on, near, or adjacent to, a public highway or private way in any place where a fire starting or burning in such waste material is liable to be or may be, communicated to woodlands. Whoever

is found guilty of violating the provisions of this section shall be fined not more than twenty-five dollars.

**4. Care of Lumber Slash.** Amend section 50 of chapter 233 of the Revised Laws as amended by chapter 126 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **50. Near Property of Another.** Whoever cuts, saws or operates, or causes to be cut, sawed or operated any timber, brush, lumber, or wood on property adjacent to the right-of-way of any railroad or public highway, or adjacent to the land of another, or adjacent to any occupied building except temporary lumber camps, shall dispose of the slash and mill waste caused by such cutting, sawing or operating in such manner that said slash and mill waste shall not remain on the ground within sixty feet of the right-of-way of any railroad, or within fifty feet of the nearest edge of the traveled part of any public highway, or within one hundred feet of any occupied building except a temporary lumber camp.

**5. Disposal of Mill Waste.** Amend section 53 of chapter 233 of the Revised Laws as amended by chapter 126 of the Laws of 1949 by striking out the same and inserting in place thereof the following: **53. Penalty.** Any person, firm or corporation who cuts, saws or operates, or who causes to be cut, sawed or operated, any such timber, brush, lumber or wood, or any owner of land where cutting is done, may be fined not more than twenty-five dollars for each one hundred linear feet or fraction thereof from which the slash and mill waste is not properly removed or disposed of within thirty days from the time of such cutting, or in the case of material adjudged by the commission to be an unusual hazard as above provided, within such reasonable time as the commission may determine, not exceeding thirty days from the date of service of the removal notice. If the person fined refuses or neglects to properly remove or dispose of the slash and mill waste within the time provided he may be fined as provided in this section for each subsequent thirty-day period of refusal or neglect to so remove or dispose of such slash and mill waste.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 13, 1951.]

**CHAPTER 213.****AN ACT RELATING TO COOPERATIVE SCHOOL DISTRICTS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Organization.** Amend chapter 199 of the Laws of 1947 by striking out said chapter and inserting in place thereof the following:

**Chapter 199****Cooperative School Districts**

**1. Definitions.** The terms used in this chapter shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

I. "Cooperative school district" means a district composed of two or more school districts of the state associated together under the provisions of this act and may include either the elementary schools, the secondary schools, or both.

II. "Cooperative school board" shall mean a school board serving a cooperative school district.

III. "Pre-existing district" shall mean a district or portion of a district which is included within the boundaries of a proposed or established cooperative school district.

IV. "Board" shall mean the state board of education.

V. "Commissioner" shall mean commissioner of education.

**2. Standards.** The board shall formulate and adopt a set of minimum standards which all proposed reorganized school districts must meet. Such minimum standards shall include, but are not necessarily limited to the following:

I. Each cooperative school district shall be as nearly as practicable a natural social and economic community, but may include the territory of school districts in adjoining towns and counties.

II. Each cooperative school district shall have an adequate minimum taxable valuation.

III. Each cooperative district shall have a sufficient number of pupils for the formation of a cooperative school district.

**3. Formation of Cooperative School Districts.** 1. The board is hereby authorized and empowered to lay out in this state cooperative school districts for elementary and/or secondary school children; and to fix, determine, and define the boundaries of said districts as hereinafter provided. The board shall take this action when in its judgment there is sufficient interest and support by a qualified number of voters in a proposed cooperative school district. The board may require such pertinent evidence of each district's interest in and ability to support the formation of a cooperative school district as it may specify, including an application. Any district interested in becoming a part of a proposed cooperative school district shall, at a duly called annual or special meeting by a majority vote of those present and voting, vote to petition the board to become a member of a proposed cooperative school district. The district clerk shall within ten days after the meeting forward to the board a certified record of the vote taken at this duly called school district meeting. The records of meetings shall show that a majority of the qualified voters present and voting in each duly called school district meeting are in favor of the formation of the proposed cooperative school district. The board shall designate all cooperative school districts by name, number and such other description as it shall deem proper. Within ten days after the making and entry of the orders pursuant to this section, the board shall transmit a certified copy thereof to the clerk and to the school board of each school district, the territory of which is affected by said orders. Each school board shall within ten days after receipt of such orders cause them to be published in a local newspaper or in one commonly circulated in the district. No cooperative school district laid out by the order of the board shall be organized until it has been approved by the qualified voters of each pre-existing district.

II. When the preceding conditions have been met, the board shall fix a time and place for a special meeting of the qualified voters within the proposed cooperative school district. The board shall cause the warning of such meeting with the subject matter of the business to be acted upon to be posted at least fourteen days before the meeting in three public places in each school district wholly or partly within the proposed cooperative school district. In addition to the

posting of the warrant, a copy thereof shall be published at least one week before the meeting in a daily or weekly newspaper published within the territory or in such a newspaper generally circulated therein. The expense of posting and publishing of the notice shall be borne equally by the several school districts within the territory, unless a cooperative school district is organized, in which event such expense shall become a charge upon said cooperative school district.

**4. Organization Meeting.** I. Any meeting held for the purpose of organizing a cooperative school district shall be called to order by a qualified voter of the proposed cooperative school district, designated by the board for the purpose. The first order of business shall be the election by a plurality vote of a moderator and of a clerk pro-tem by ballot, who shall be qualified voters of the proposed district. The affirmative vote of a majority of the qualified voters present and voting shall be required on the adoption of the following resolution: "Resolved that cooperative school district number . . . . . (add designation) be organized and a cooperative school district be established to provide for the educational needs and services of . . . . . (add one of the following: (a) all elementary school children, (b) all secondary school youth, (c) all elementary and secondary school children)." The adoption of this resolution shall be by ballot. If the resolution establishing the cooperative school district of this section is adopted, then the voters shall proceed to organize in accordance with the provisions of this chapter. If at any such meeting the resolutions regarding the establishment of a cooperative school district shall be presented and shall not be adopted, there shall be no further proceedings at such meeting, except a motion to reconsider the question, and no such meeting shall again be called within six months thereafter. If no meeting shall be called to reconsider the question within two years thereafter or if at any such meeting thereafter called the resolution shall again fail of adoption, the order of the board to which the resolution relates shall be deemed null and void and of no further force or effect. The meeting may be adjourned from time to time by a majority vote of the qualified voters present but no such adjournment shall be for a longer period than ten days. A copy of the minutes of the meeting or meetings duly certified by the clerk shall be filed by him with the board,

with each union superintendent in whose jurisdiction such school district, or any part thereof, is then or thereafter located, and with the town clerk of each town in which any part of said school district is then or thereafter located.

II. Election of Officers. The first cooperative school board shall be elected at the organization meeting. Whether the number of members of the cooperative school board shall be five, seven, or nine shall be determined by the voters at this meeting, before the election takes place. All school board members at this meeting and at subsequent annual district meetings shall be elected so as to insure each school district forming a part of the cooperative school district a member of the cooperative school board. Other members shall be elected at large. The first cooperative school board shall be elected by ballot by majority vote of those qualified voters present and voting. Subsequent elections of school board members and the moderator shall be in accordance with the non-partisan ballot system provided for in sections 112 to 120 of chapter 34 of the Revised Laws, as inserted by chapter 22, Laws of 1943.

(1) When the cooperative school board consists of five members, the members thus elected shall take office at once and shall continue to hold office for five, four, three, two and one years, respectively, from the date of meeting. Thereafter one member of such board shall be elected each year for a term of five years.

(2) When the cooperative school board consists of seven members, two members shall be elected for three years, two members for two years, and three members for one year. Thereafter their successors shall be elected each year for terms of three years.

(3) When the cooperative school board consists of nine members, three members shall be elected for three years, three members for two years, and three members for one year. Thereafter their successors shall be elected each year for terms of three years.

(4) Members of the cooperative school board shall serve with or without remuneration as the district shall determine, but they shall be paid their necessary expenses while upon official business.

III. For purposes of state-wide supervision a cooperative school district shall be a school district.

**5. School Board; Powers and Duties.** The cooperative school board so elected shall organize at once and proceed to assume its responsibilities and duties with respect to the administration and planning of the new cooperative school district which thereupon comes into official existence, provided, however, that the cooperative board shall have no administrative authority as to the schools in the pre-existing districts until July first next following. Thereafter all cooperative school district officers shall assume office at the beginning of the next fiscal year following their election. The cooperative school board shall have the same powers and duties as school boards in school districts as prescribed by chapter 135 of the Revised Laws. Except as provided in this chapter, all the provisions of this chapter or of any other general law relating to or affecting school districts in the state shall apply to cooperative school districts organized as herein provided.

I. Clerk. The cooperative school board shall appoint annually and fix the salary of the district clerk who shall not be a member of the cooperative school board. The district clerk shall serve also as the clerk of the cooperative school board.

II. Treasurer. The treasurer of a cooperative school district shall be appointed by the cooperative school board for one or more terms not to exceed five years each and shall not be a member of the cooperative school board and shall receive for his services such sum as the cooperative school board may determine. The treasurer shall, before entering upon the duties of his office, give a bond to the cooperative school district with a surety company authorized to do business within the state in a form approved by the state tax commission, and the premium shall be paid by the cooperative school district. The provisions of chapter 82 of the Revised Laws applicable to uniform accounting by school districts shall apply to cooperative school districts.

**6. Powers and Duties of Cooperative School Districts.**

I. Each cooperative school district shall be a body corporate and politic with power to sue and be sued, to acquire, hold and dispose of real and personal property for the use of schools therein, and to make necessary contracts in relation thereto, and have and possess all the powers and be subject to all the liabilities conferred and imposed upon school districts under

the provisions of chapter 138 of the Revised Laws. Whenever a cooperative school district assumes all the functions of a local school district, such local district shall continue in existence to July first, next, following its absorption by the cooperative school district, and thereafter such cooperative school district shall be the agent for the payment of all outstanding just debts and obligations of such pre-existing district.

## II. Power to Borrow Money for Capital Improvements.

Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws, "Municipal Bonds Statute," provided however that no cooperative school district shall incur debt to an amount exceeding four per cent of the total aggregate assessed valuation of such cooperative school district, and provided further that such debt limit shall be in addition to and exclusive of any outstanding debts of the local districts composing such cooperative school district assumed by such cooperative school district. Permission to exceed this limit, but not in excess of six per cent may be secured from a board of investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the Laws of 1951.

III. Whenever only a part of the educational facilities of a local school district are incorporated into a cooperative school district, such local district shall continue in existence and function as previously, and the cooperative school district shall assume only those outstanding debts and obligations of the local district which pertain to the property acquired by the cooperative school district for use by the cooperative school district and in such case no cooperative school district shall incur debt to an amount exceeding two per cent of the total aggregate assessed valuation of such cooperative school district.

Permission to exceed this limit but not in excess of four per cent may be secured from a board of investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the Laws of 1951.

**7. Apportionment of Costs.** During the first five years after the formation of a cooperative school district, each pre-existing district shall pay its share of the cost of all capital improvements, based upon the proportion which its adjusted



valuation bears to the total aggregate adjusted valuation of the cooperative school district at the time of its formation. Thereafter, such costs shall be apportioned on the basis of the ratio of the adjusted valuation of the pre-existing district to the total adjusted valuation of the cooperative school district at the time the funds therefor are appropriated.

**8. Cost of Operation.** The cost of operating cooperative schools shall be prorated among the pre-existing districts in either one of the following ways as determined by the majority vote of the cooperative district meeting:

(1) The proportion that its adjusted valuation bears to the total adjusted valuation of the property within the cooperative school district;

(2) One-half of cost shall be apportioned in proportion to the average daily membership for the preceding school year and one-half shall be apportioned on the adjusted valuation formula above.

**9. Taking Over of Property.** Whenever a cooperative school district is formed, the property belonging to the pre-existing districts to be used by the cooperative district shall be separately appraised by the state tax commission. At the next annual assessment a tax equivalent to that amount shall be levied upon the several districts composing the cooperative school district in the proportion that the adjusted valuation of each bears to the adjusted valuation of the whole, and there shall be remitted to the taxpayers of each pre-existing district the appraised value of its property. Whenever the board decides the foregoing adjustment will work a hardship on any one or all of the pre-existing districts, it may of its own motion, or upon petition of any ten residents of a pre-existing district provide that such adjustment be made over a period of not exceeding twenty years.

**10. Disposal of Property.** Whenever any property of a cooperative school district is disposed of, the proceeds thereof shall be credited to each pre-existing district in the same proportion as the costs of making capital improvements are credited.

**11. Continuance of Trust Funds.** All trust funds held or enjoyed by any pre-existing district shall be held and applied for the same uses and purposes of the cooperative school dis-

trict where the terms of the trust so permit, and a trust limited to the purposes of a pre-existing district shall be held to be properly applied if applied to the uses of a cooperative school district as agent for the pre-existing district.

**12. Budget.** On or before March first annually the cooperative school board shall prepare a budget for the ensuing year, after holding at least one public hearing at some convenient place in the district, of which at least seven days' notice shall have been given, and said budget shall be posted in a public place in each pre-existing district and given such other publication as said cooperative school board may determine. The provisions of chapter 52 of the Revised Laws, the Municipal Budget Law, shall not apply to a cooperative school district.

**13. Meetings, Annual, Special.** A meeting of every cooperative school district shall be held annually between March first and April twentieth for the choice of district officers, raising and appropriating money for the support of its schools for the fiscal year beginning July first next, and the transaction of other district business. Special meetings may be called when there is need or occasion therefor. The provisions of chapter 139 of the Revised Laws shall apply to cooperative school district meetings, except that a copy of the warrant shall be posted in a public place in each pre-existing district as well as at the place of meeting.

**14. Certification of District Taxes.** Within two weeks after the conclusion of any meeting at which money is raised and appropriated, the cooperative school board under the hand of the chairman, certified by the clerk, shall certify in writing to the selectmen of each town wholly or partly included within the cooperative school district the amount of taxes to be raised for educational purposes in each pre-existing school district wholly or partly incorporated in the cooperative school district. The selectmen of each such town shall pay over from time to time such portions of the sums so raised as may reasonably be required by the treasurer of such cooperative school district, but no such payment shall be greater in percentage to the total sum raised by such local district than that of any other local district comprising such cooperative school district. Whenever a cooperative school district assumes all the functions of a pre-existing district, the cooperative board shall also certify

to the selectmen the amount to be raised by taxation to meet the outstanding obligations of such pre-existing district including serial notes or bonds of such pre-existing district.

**15. State Aid.** The state aid to which a cooperative elementary and/or secondary district shall be entitled shall be the total of those shares of the aid to which the pupils attending the cooperative district would have entitled the pre-existing districts, had they remained in the pre-existing districts.

**16. Annexation of Territory.** Territory shall be annexed to a cooperative school district in the following manner:

I. When an order annexing territory to a cooperative school district has been made and entered as provided in section 3, the board shall within ten days thereafter cause certified copies of said order to be filed with the school board of the cooperative school district and the school board of each school district affected thereby. Said order annexing territory to the cooperative school district shall become final sixty days after such filing of the certified copies thereof, unless a special meeting of the cooperative school district or of any whole school district being annexed named in this order is called for action on this order pursuant to the Revised Laws, chapter 139, sections 2 and 3.

II. At a meeting held in an existing cooperative school district, or in a town or special school district, a resolution in substantially the following form shall be presented for the action and determination of the meeting viz.: "Resolved that ..... (describe kind of district) school district number ..... (designate district or districts) shall be annexed to cooperative school district number ..... (designate cooperative school district) as provided in the order of the board of education now before this meeting."

III. If the resolution submitted to the voters as provided in paragraph II of this section shall be defeated, the territory described in the resolution shall not be annexed to the existing cooperative school district, and the said order of the board shall not be or become effective as to said territory. If a meeting, or meetings, shall be held and the resolution submitted shall be adopted, the territory described therein shall thereupon be annexed to the existing cooperative school district.

IV. A resolution described in paragraph II of this section, if defeated, shall not again be presented for action at a school district meeting or a cooperative school district meeting unless a petition therefor shall be presented to the board in the manner provided in section 3, paragraph I.

**2. Effect of Other Statutes.** Such acts or parts of acts inconsistent with the provisions hereof are hereby repealed in so far as they affect cooperative school districts.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 13, 1951.]

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## CHAPTER 214.

### AN ACT RELATIVE TO THE RESTORATION OF THE CLAM FISHERIES IN NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Clams.** Amend section 63 of chapter 245 of the Revised Laws, as amended by chapter 124 of the Laws of 1943, and by chapter 132 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **63. Clams; Regulations; Closed Season; Licenses and Permits; Advisory Committee.** The taking of clams within the public waters or flats of New Hampshire is forbidden except Eastman's Slough in Hampton Falls for a period of two years from date of passage of this act, provided, however, that temporary or permanent residents of this state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal but not for commercial use in the following places only: Blackwater River, Mill River, Brown's River, Taylor River, Tidewater Mills and Great Bay above the pollution line. Said residents shall be permitted to dig clams in the aforesaid places by the use of clam-digging forks. No clams under two and one-half inches shall be taken from said places. Upon the expiration of said period of two years, the fish and game commission shall establish regulations for the taking of clams, defining daily bag limits and providing for protection of clams during the spawning season. The commission shall

require licenses and permits for the taking of clams and shall fix fees therefor. The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the sea-coast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee shall study and recommend the advisability and method for financing a division of coastal fisheries within the fish and game department, together with a study of the desirability of establishment of a state coastal fisheries research station at Hampton Harbor. The advisory committee shall establish an area not to exceed one hundred acres of clam flats for the purpose of the development and propagation of clams, and clam experimentation and research, by the fish and game commission.

**2. Takes Effect.** This act shall take effect upon September first, 1951.

[Approved August 14, 1951.]

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## CHAPTER 215.

### AN ACT RELATING TO THE ACQUISITION OF CERTAIN LAND ON LONG ISLAND IN THE TOWN OF MOULTONBOROUGH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Condemnation of Land on Long Island in Moultonborough.** In addition to the appropriations made by section 3, chapter 191, Laws of 1939, as extended by chapter 72, Laws of 1941, and amended by chapter 165, Laws of 1943, for acquisition of public recreational area on Long Island in the town of Moultonborough, there is hereby appropriated the sum of eight thousand two hundred dollars (\$8,200). The balance of appropriations made by the above mentioned statutes together with the appropriation made hereunder shall be expended under the direction of the attorney general to pay the damages awarded by decree of the superior court to the owners of said land together with expenses connected therewith. The governor is authorized to draw his warrant for the sums appropriated hereunder from any money in the treasury not otherwise appropriated.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 14, 1951.]

## CHAPTER 216.

AN ACT PROVIDING FOR THE CONTINUATION OF REIMBURSEMENTS  
TO TOWNS AND CITIES AS PROVIDED BY CHAPTER 79-A,  
REVISED LAWS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** For the purpose of providing additional funds for reimbursement of cities and towns for their losses in tax revenue, if any, caused by the exemption of growing wood and timber as provided by sections 18 and 19 of chapter 79-A of the Revised Laws as inserted by chapter 295, Laws of 1949 and as amended by section 6, chapter 12, Laws of 1951, there is hereby appropriated the sum of not exceeding three hundred thousand dollars (\$300,000). The funds appropriated hereunder shall be available for distribution to cities and towns as provided in the before mentioned statute for tax losses during the municipal years of 1951 and 1952, and said funds shall be deposited into the reimbursement fund established by said chapter 79-A.

**2. Bond Issue Authorized.** For the purpose of providing funds for the appropriation provided by section 1 hereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed three hundred thousand dollars (\$300,000) and for that purpose may issue bonds or notes in the name and on behalf of the state.

**3. Form, Proceeds of Sale.** The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum hereinbefore appropriated, for the purposes of this act only.

**4. Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, show-

ing the number and amount of each bond or note, the time of countersigning, the time when payable, and the date of delivery to the treasurer. The treasurer shall keep an account of each bond or note, showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable.

**5. Short-Term Notes.** Prior to the issuance of the bonds hereunder the treasurer, with the consent of the governor and council, may for the purposes hereof borrow from time to time on short-term loans which may be refunded by the issuance of bonds or notes hereunder, provided, however, that at no time shall the indebtedness of the state on such short-term loans and said bonds exceed the total bond issue authorized under section 1 hereof.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 14, 1951.]

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## CHAPTER 217.

### AN ACT INCREASING FEES FOR SHERIFFS AND DEPUTIES FOR COURT ATTENDANCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fees of Sheriffs.** Amend paragraph VI of section 1 of chapter 246 of the Laws of 1947 by striking out the word "eight" where it occurs in the second, fourth and sixth lines and inserting in place thereof the word, ten, so that said paragraph as amended shall read as follows: VI. For each day of any session of the superior court, the sheriff shall receive ten dollars a day; for each day's actual attendance of the superior court by order thereof, each deputy shall receive ten dollars a day; for each day's actual attendance at supreme court by order thereof, the sheriff and each deputy, ten dollars a day; in addition, the sheriff and each deputy, travelling expense to attend any court; said fees and expenses to be audited and allowed by the court, to be paid out of the county treasury. For attending before a justice or municipal court, on trials where his presence is required, each day, three dollars.

**2. Takes Effect.** This act shall take effect January 1, 1952.  
[Approved August 14, 1951.]

## CHAPTER 218.

## AN ACT TO AMEND THE FACTORS LIEN LAW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Factors Lien Law.** Amend section 1 of chapter 262-A of Revised Laws as inserted by chapter 161 of the Laws of 1943 as amended by chapter 156 of the Laws of 1949 by striking out the same and substituting the following: **1. Factors Liens.** If so provided by any written agreement, all factors shall have a continuing general lien upon all merchandise from time to time consigned to or pledged with them, whether in their constructive, actual or exclusive occupancy or possession or not, and upon any accounts receivable or other proceeds resulting from the sale or other disposition of such merchandise, whether or not such merchandise is subject to the lien and upon accounts receivable resulting from any other transactions, for all their loans and advances to or for the account of the person creating the lien (hereinafter called the borrower), together with interest thereon, and also for any obligations, indebtedness, commission, charges, and expenses properly chargeable against or due from said borrower and for the amount due upon any notes or other obligations given to or received by them for or on account of any such loans or advances, interest, obligations, indebtedness, commission, charges, and expenses, and such lien shall be valid from the time of filing the notice hereinafter referred to, and whether such merchandise or accounts receivable shall be in existence at the time of the agreement creating the lien or at the time of filing such notice or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower; provided, that a notice of the lien is recorded, as hereinafter provided, stating:

a. The name of the factor, the name under which the factor does business, if an assumed name; the principal place of business of the factor within the state, or if he has no place of business within the state, his principal place of business outside of this state; and if the factor is a partnership or association, the names of the partners, and if a corporation, the state under whose laws it was organized.



b. The name of the borrower, and the interest of such person in the merchandise, or accounts receivable, as far as is known to the factor.

c. The general character of merchandise or accounts receivable subject to the lien, or which may become subject thereto, and the period of time, whether definite or indefinite, during which such loans or advances may be made under the terms of the agreement providing for such loans or advances and for such lien. Amendments of the notice may be recorded from time to time specifying any changes in the information contained in the original or prior notices.

**2. Creditors.** Amend section 3 of chapter 262-A of the Revised Laws as inserted by chapter 161 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **3. Effect of Record.** Such notice may be recorded at any time after the making of the agreement and shall be effectual from the time of the recording thereof as against all creditors of the borrower except (a) holders of prior valid common law or statutory liens or other encumbrances of such merchandise and (b) holders of subsequent valid common law or statutory liens arising from work or services on such merchandise and (c) in respect to accounts receivable, holders of prior valid common law or statutory liens or other encumbrances on such accounts receivable or assignees of existing accounts receivable acquired prior to the time of such recording by valid assignment pursuant to the provisions of chapter 263-A of Revised Laws, as inserted by chapter 19, Laws of 1945.

**3. Accounts Receivable.** Amend section 4 of chapter 262-A of the Revised Laws as inserted by chapter 161 of the Laws of 1943, by inserting after the word "merchandise" where it appears in the fourth line thereof the words, or accounts receivable, so that said section as amended shall read as follows:

**4. Discharge.** Upon the payment or satisfaction of indebtedness secured by any lien specified in this chapter, the factor or his legal representative, upon the request of any person interested in the said merchandise, or accounts receivable, must sign and acknowledge a certificate setting forth such payment or satisfaction. The town clerk or clerks with whom the notice of lien is recorded must, on receipt of such certificate, record the same and write the word "discharged" or "partially dis-

charged," as the case may be, in the index book where the notice of lien is entered, opposite the entry thereof and of each amendment thereof, and the lien is thereby discharged. He shall record the certificate itself, or make a reference to the record thereof, in the margin of the record of the original notice. All notices of liens recorded pursuant to this chapter and not satisfied by recording a certificate setting forth payment or satisfaction thereof shall be deemed to be and remain in full force and effect under this chapter without further or other recording.

**4. Limitations.** Amend section 5 of chapter 262-A of the Revised Laws as inserted by chapter 161 of the Laws of 1943 by striking out the same and inserting in place thereof the following: **5. Lien on Accounts Receivable.** If any agreement provides for a right to or lien upon accounts receivable whether then existing or thereafter coming into existence or other proceeds arising out of the performance of work, labor, or services or resulting from or which may result from a sale or sales of merchandise, whether or not such merchandise or a part thereof is subject to the lien, such right or lien upon such accounts receivable or the proceeds shall not be void or ineffectual as against creditors or otherwise, except as against the rights of assignees of existing accounts receivable as determined by chapter 263-A of Revised Laws acquired prior to the date of recording of a notice of lien hereunder, by reason of failure to make or deliver a formal assignment of any such account receivable or to notify the person owing such account receivable or by reason of the fact that the borrower, with the factor's assent, retains dominion over any such account receivable and the proceeds or any portion thereof. If merchandise sold or any part thereof is returned to or recovered by the assignor from the person owing the account receivable and is thereafter dealt with by him as his own property, if the assignor with the factor's assent retains dominion over any account receivable or the proceeds thereof or any portion thereof, or if the assignor with or without the assent of the factor, grants credits, allowances or adjustments to the person owing an account receivable, the right to or lien of the factor upon any balance remaining owing on such account receivable and his right to or lien upon any other account receivable shall not be invalidated thereby.

**5. Interpretation of Terms.** Amend section 9 of chapter 262-A of the Revised Laws as inserted by chapter 161 of the Laws of 1943 by striking out the same and inserting in place thereof the following: **9. Definitions.** The terms "factor" and "factors" wherever used in this chapter, mean persons, firms, banks and corporations, and their successors in interest, who purchase or lend on the security of accounts receivable or who advance money on the security of merchandise, whether or not they are employed to sell such merchandise. The term "merchandise" wherever used in this chapter shall mean any and all goods, materials, wares and merchandise, raw, wrought or in process.

**6. Takes Effect.** This act shall take effect upon its passage. [Approved August 14, 1951.]

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## CHAPTER 219.

### AN ACT AUTHORIZING THE TRANSFER OF ENDICOTT ROCK STATE PARK TO THE CITY OF LACONIA.

WHEREAS on the twenty-seventh day of May, 1934 the city of Laconia by deed conveyed to the state of New Hampshire a certain parcel of land lying at the Weirs in said city and comprising the land now known as Endicott Rock State Park, and

WHEREAS by the terms of said deed a trust was imposed on said land for the benefit of the city of Laconia, to wit; that said land should always be maintained as a public park and bathing beach, and

WHEREAS it is deemed desirable that the legal title to said land should be revested in said city, now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** The governor and council are authorized to take such action as may be necessary, for such consideration as they deem reasonable and just, to reconvey the interest of the state in Endicott Rock State Park in the city of Laconia to said city of Laconia to be maintained by the city of Laconia as a public recreational park.

**2. Board of Appraisers.** There is hereby established a board of appraisers. Said board shall consist of three members. One member shall be appointed by the governor, one member shall be appointed by the mayor of said city of Laconia, and the third member shall be selected by the said appointees.

**3. Duties.** The board shall, after investigation, recommend to the governor and council a reasonable and just value for said park.

**4. Compensation.** The board shall receive such compensation as the governor and council may determine but in no event to exceed a total of one hundred dollars. Said expenses shall be a charge on funds of the forestry and recreation commission.

**5. Special Fund.** The money received by the state for said park shall be placed in a special fund. Said fund shall be used by the forestry and recreation commission for the acquisition and development of a recreation area on the shores of Lake Winnepesaukee.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 15, 1951.]

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## CHAPTER 220.

### AN ACT RELATING TO SCHOLARSHIPS FOR ORPHANS OF THE WORLD WARS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Scholarships for War Orphans.** Amend section 1 of chapter 35 of the Laws of 1943 as amended by chapter 196 of the Laws of 1945 by striking out said section and inserting in place thereof the following: **1. Purpose.** The sums appropriated under the provisions of this act shall be used for the sole purpose of contributing to the payment of board, room rent, books and supplies, at institutions of secondary or college grade, of children between the ages of sixteen and twenty-five years, who are legal residents of the state at the time of application, whose fathers or mothers served in the army, navy or marine corps of the United States from April 6, 1917

to July 2, 1921 or from December 7, 1941 to December 31, 1946, or June 25, 1950 to cessation of hostilities, having since died from service connected disability so rated by the federal government and having been at time of death legal residents of the state.

**2. Use of Appropriations.** Amend section 4 of said chapter 35 by striking out the words "one hundred" in the seventh line and inserting in place thereof the words, two hundred, so that said section as amended shall read as follows: **4. Appropriations.** The sum of two thousand seven hundred dollars (\$2,700) is hereby appropriated for the fiscal year ending June 30, 1946, and the sum of two thousand seven hundred dollars (\$2,700) is hereby annually appropriated for each fiscal year thereafter, for carrying out the provisions of this act; provided that not more than two hundred and fifty dollars shall be paid under said provisions for any one child for any one year, and provided that no individual shall be eligible to receive the benefits provided for herein for a period of more than four years.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved August 15, 1951.]

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## CHAPTER 221.

### AN ACT DEFINING THE POWERS OF THE JUSTICES OF THE SUPERIOR COURT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Superior Court. Powers of Justices Defined.** Amend section 1 of chapter 370 of the Revised Laws as amended by section 1, chapter 174 of the Laws of 1945 by inserting after the word "constitution" the words, each of whom shall exercise the powers of the court unless otherwise provided, so that said section as amended shall read as follows: **1. Justices.** The superior court shall consist of a chief justice and five associate justices, appointed and commissioned as prescribed by the constitution, each of whom shall exercise the powers of the court unless otherwise provided, and such justices as may

be retired from regular active service because of permanent disability.

**2. County Solicitors.** Amend section 18, chapter 24, Revised Laws, by inserting after the word "court" in the fourth line the words, acting as a body, so that said section as amended shall read as follows: **18. Election; Vacancies.** There shall be a solicitor for each county, elected biennially by the inhabitants of the county. If there is a vacancy in the office, or the solicitor is absent at any term of court or unable to discharge the duties of the office, the superior court, acting as a body, shall appoint a solicitor for the time being and allow him such compensation for his services as they think reasonable.

**3. County Auditors.** Amend section 23, chapter 44, Revised Laws, by inserting after the word "court" where it occurs in the third and fourth lines the words, acting as a body, so that said section as amended shall read as follows: **23. Audit by Order of Court.** If, in the opinion of the superior court, a semi-annual or annual audit shall be sufficient in any county or counties; the court, acting as a body, may so direct, and the auditors shall make up semi-annual or annual statements of receipts and disbursements accordingly; and the superior court, acting as a body, shall have authority to order special examinations in such manner as they deem advisable if in their judgment the same are required.

**4. County Officers.** Amend section 5, chapter 45, Revised Laws, by inserting after the word "court" in the second line the words, acting as a body, so that said section as amended shall read as follows: **5. Tie Vote.** If the candidates for either of such offices having the highest number of votes shall have an equal number the court, acting as a body, shall appoint one of the candidates to fill the office, who shall be declared duly elected.

**5. Town Lines Disputes.** Amend section 11, chapter 69, Revised Laws, by striking out in the fifth and sixth lines the words "by themselves or by a committee appointed for that purpose, examine said disputed lines, and their" and inserting in place thereof the words, either examine said disputed lines or appoint a committee for that purpose, and the court's, so that said section as amended shall read as follows: **11. Disagreement.** When the selectmen of adjoining towns shall

disagree in renewing and establishing the lines and bounds of such towns, the superior court for the county in which the town first incorporated or paying the highest tax as aforesaid is situate, upon petition and after notice to the other towns interested, shall, either examine said disputed lines or appoint a committee for that purpose, and the court's decision thereon shall be final; and the court may order either or both towns to pay the costs, as deemed just.

**6. Town Highways, Repairs.** Amend section 3 of part 17 of chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out the words "they may deem" in the fifth line and inserting in place thereof the words, may seem, so that said section as amended shall read as follows:

**3. Petition to Court.** Upon petition of any persons interested, notice to the county commissioners and a hearing thereon, the superior court may order such part of the expense of making and repairing highways through such land as may seem just to be paid by the county; and may, upon like proceedings, modify the order, as may from time to time appear proper.

**7. Rules of Court.** Amend section 8, chapter 370, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows:

**8. Rules.** The court, acting as a body, may from time to time establish rules and orders of practice, consistent with the laws, for conducting and regulating its business, and may prescribe forms of proceedings in all cases not provided for.

**8. Clerks of Court.** Amend section 12, chapter 374, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows:

**12. Allowances.** The court, acting as a body, may make such allowance as it thinks proper to the clerks of the several counties, in full for services by them rendered for which no fees are established by law.

**9. Jurors.** Amend section 7, chapter 375, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows:

**7. Court Orders.** The court, acting as a body, shall direct the number of jurors to be summoned, and from

what towns, so that each may furnish its proportion of jurors in each year.

**10. Court Referees.** Amend section 13, chapter 395, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows: **13. Rules.** The court, acting as a body, may make rules to regulate the practice and proceedings before referees and may fix the times and places for their hearings.

**11. Drawing Jury.** Amend section 20, chapter 395, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows: **20. Rules.** The superior court, acting as a body, may, by general rules or special order, prescribe the mode of drawing and impanelling the jury, and of exercising the right of peremptory challenge, as may be required to carry into effect the provisions of the two preceding sections.

**12. Court Stenographers.** Amend section 26, chapter 395, Revised Laws, as amended by section 1, chapter 176, Laws of 1947 and section 1, chapter 95, Laws of 1949, by inserting after the word "court" in the second line the words, acting as a body, and by inserting after the word "thousand" in the seventh line the words, three hundred, so that said section as amended shall read as follows: **26. Appointment.** The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of three thousand three hundred dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other



proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

**13. Salaries.** Amend section 28, chapter 395, Revised Laws, as amended by chapter 193, Laws of 1945, and section 3, chapter 176, Laws of 1947, by inserting after the word "court" in the fifth line the words, acting as a body, so that said section as amended shall read as follows: **28. Reimbursement.** The state shall be reimbursed by the several counties for the total amount paid as annual salaries for the state court stenographers. The apportionment of said salaries between the counties shall be made by the superior court, acting as a body, on the basis of the use of such stenographic services in each county. Such apportionment shall become effective on July first of each year and the county treasurer of each county, on order of the superior court, shall forthwith forward to the state treasurer the amount due from said county as so fixed by said court. All court stenographers appointed under the provisions of section 26 shall be reimbursed for their actual expenses when away from their homes engaged in court work and said expenses shall be paid directly by the county on order of the superior court. Supplies for the use of said stenographers in the business of the court shall be furnished by the clerks of court and paid for by the respective counties.

**14. Fees.** Amend section 29, chapter 395, Revised Laws, by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows: **29. Fees for Transcripts.** The court, acting as a body, shall fix a schedule of prices for transcripts and for extra copies furnished to counsel or parties and shall order what if any part thereof may be taxed as costs by the prevailing party.

**15. Transfer of Cases.** Amend section 19, chapter 397, Revised Laws, by striking out said section and inserting in place thereof the following: **19. Clerk's Fees.** The clerk of the superior court shall be allowed such fees for his services in connection with such transfer as may be prescribed by rule of the superior court, acting as a body; and such fees shall be paid by the excepting party, if any, or by the plaintiff if the case is transferred upon agreement without ruling, unless otherwise ordered by the superior court.

**16. Trustee Process.** Amend section 47 of chapter 412 of the Revised Laws by inserting after the word "court" in the first line the words, acting as a body, so that said section as amended shall read as follows: **47. Rules.** The superior court, acting as a body, may make and establish such rules and orders as may be necessary and convenient to carry into effect the provisions of this chapter.

**17. Takes Effect.** This act shall take effect upon its passage.

[Approved August 15, 1951.]

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## CHAPTER 222.

AN ACT RELATIVE TO EXEMPTIONS UNDER THE INCOME TAX ACT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Taxation of Incomes.** Amend section 4 of chapter 78 of the Revised Laws by striking out the words "two hundred" in the first line, and inserting in place thereof the words, six hundred, so that said section as amended shall read as follows:

**4. Exemption.** Six hundred dollars of each income otherwise taxable shall be exempt.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 16, 1951.]

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## CHAPTER 223.

AN ACT RELATIVE TO QUALIFICATIONS FOR OLD AGE ASSISTANCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Old Age Assistance; Residential Requirements.** Amend section 12 of chapter 126 of the Revised Laws as amended by chapter 43 of the Laws of 1945, section 4, chapter 90, Laws of 1951 and section 1, chapter 206, Laws of 1951, by inserting after paragraph (a) (a) the following new paragraph: (a) (a). For the purposes hereof a person shall be eligible for

aid to the aged who is sixty-five years of age; is not on account of his physical condition in need of continued public institutional care; has resided continuously in the United States for ten years immediately preceding his application for such aid and has resided in the state for at least five years within the nine years immediately preceding said application and has resided in the state continuously for one year immediately preceding said application.

**2. Payment for Grants.** Amend section 21 of chapter 126 of the Revised Laws as amended by section 7, chapter 90 of the Laws of 1951 by striking out said section and inserting in place thereof the following: **21. Reimbursement of Funds.** All expenditures in carrying out the purposes of this chapter relative to old age assistance or aid to the permanently and totally disabled shall be made in the first instance from the public assistance fund hereby created, but each county or town shall, within sixty days from notice thereof, reimburse said fund for all assistance granted to aged persons or permanently and totally disabled persons for which such county or town is liable to the extent of twenty-five per cent thereof, provided that in the case of aged persons qualifying under the provisions of paragraph (a) (a) (a) of section 12, the county or town liable therefor shall reimburse said fund for said assistance to the extent of fifty per cent thereof.

**3. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved August 22, 1951.]

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## Chapter 224.

AN ACT INCREASING PENALTIES IN CERTAIN CRIMINAL CASES,  
RELATING TO PROCEDURE IN SUPREME COURT, THE SALARY  
OF JUSTICES OF THE MUNICIPAL COURT IN SMALL  
TOWNS AND DISPOSITION OF FUNDS FOR FISH  
AND GAME VIOLATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Forfeitures.** Amend section 2 of chapter 432 of the Revised Laws by striking out the word "one" in the fifth line

and inserting in place thereof the word, five, so that said section as amended shall read as follows: **2. Libel.** The person making or directing such seizure shall, without unnecessary delay, file a libel before a justice if the property does not exceed in value thirteen dollars and thirty-three cents, before a municipal court in towns and cities in which there is such court if the property does not exceed in value five hundred dollars, and in other cases in the office of the clerk of the superior court, stating the cause and praying for a decree of forfeiture.

**2. Offenses Against Police of Towns.** Amend section 22 of chapter 440 of the Revised Laws by inserting after the words "shall be" in the eighth line the words, fined not more than one hundred dollars, or, and by inserting at the end of said section the words, or both, so that said section as amended shall read as follows: **22. Vagabonds, etc.** A vagabond or disorderly person, a person going about begging, a person using any unlawful game or play, a person pretending to have knowledge in physiognomy or palmistry, a person pretending, for money, to tell destinies or fortunes or to discover by any spell or secret art where lost or stolen property may be found, a common drunkard, pilferer, or person wanton and lascivious in speech or behavior, or a person who so neglects his employment or misspends his earnings as not to provide properly for the support of himself and family, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

**3. Offenses Against Chastity.** Amend section 3 of chapter 449 of the Revised Laws by striking out the same and inserting in place thereof the following: **3. Lewdness.** If any person shall be guilty of gross lewdness or lascivious behavior such person shall be imprisoned not more than six months or fined not more than two hundred dollars, or both, and may also be ordered to recognize, with sufficient sureties, to be of good behavior for a term not exceeding three years.

**4. Against the Person.** Amend section 22 of chapter 455 of the Revised Laws by striking out the word "twenty" in the second line and inserting in place thereof the words, one hundred, and by striking out the words "ninety days" in the third line and inserting in place thereof the words, six months, so that said section as amended shall read as follows: **22.**

**Assaults.** If any person shall assault or beat another, or in any way break the peace, he shall be fined not more than one hundred dollars, or imprisoned not more than six months, and may be ordered to recognize, with sufficient sureties, to keep the peace and be of good behavior not more than one year.

**5. Bail Commissioners.** Amend chapter 425 of the Revised Laws by inserting after section 27 the following new section: **27-a. Municipal Court Appointment.** Municipal courts may appoint three or more justices of the peace and quorum as commissioners authorized to fix and receive bail in criminal cases to be brought before the said municipal courts, as hereafter provided.

**6. Courts.** Amend section 9 of chapter 379 of the Revised Laws by inserting after the word "sentence" in the second line the words, or any part thereof, so that said section as amended shall read as follows: **9. Probation and Suspension of Sentence.** Any court shall have power to suspend imposition or execution of sentence, or any part thereof, and to place the defendant on probation for a period not to exceed five years.

**7. Prohibitions.** Amend section 50 of chapter 256 of the Revised Laws as amended by section 4, chapter 258 of the Laws of 1947, by striking out said section and inserting in place thereof the following: **50. Prohibited Acts.** It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense or compound any narcotic drug, except as authorized in this chapter. It shall be unlawful for any person to sell, exchange, deliver, expose for sale, give away, or have in possession or custody with intent to sell, exchange, deliver, or give away the following named substances: (1) any cocaine, or any of its salts, or any synthetic substitute therefor, or any preparation containing any of the same; (2) any opium, morphine, heroin, codeine, or any derivatives of the same; (3) any flowering tops or leaves, extracts, tinctures, or any other form, preparation, mixture or manufactured product of or containing cannabis indica, cannabis sativa, hemp, or marihuana. Any person who shall violate any of the provisions of this section shall be imprisoned for not less than one year and a day nor more than ten years.

**8. Fees.** Amend section 22 of chapter 369 of the Revised Laws by striking out said section and inserting in place there-

of the following section: **22. Entry Fees.** There shall be paid to the clerk for the entry of every action, petition, or appeal, and for the filing of every motion supplementary to an entered case, such fees as shall from time to time be established by the court by its rules, which the clerk shall retain in full compensation for the entry and filing.

**9. Costs.** Amend section 23 of chapter 369 of the Revised Laws by inserting after the word "printing" in the second line the words, or such other form of reproduction as the court may by rule prescribe; and further amend said section by inserting after the word "printing" in the third line the words, or reproduction, so that said section as amended shall read as follows: **23. Briefs.** The prevailing party shall be entitled to tax and recover of the adverse party for the preparation and printing, or such other form of reproduction as the court may by rule prescribe, of the briefs of his counsel, the sum of ten dollars together with the actual cost of printing or reproduction not more than twenty-five copies of the briefs, to be allowed by said court, if copies thereof have been furnished, as provided in section 11, within the time limited by rules of the court or any special order made in the case.

**10. Municipal Courts.** Amend paragraph II of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947, by striking out said paragraph and inserting in place thereof the following: **II.** In all other towns, not provided for above, as follows: In towns of not less than two thousand nor more than six thousand inhabitants, five hundred dollars, unless otherwise voted by the town, but not less than three hundred dollars. In towns of less than two thousand inhabitants, one hundred and fifty dollars, and such other sum as such town may vote.

**11. Fish and Game Fund.** Amend section 37 of chapter 240 of the Revised Laws by striking out the same and inserting in place thereof the following: **37. Fines.** The court or justice of any court in which a complaint for a violation of any law, rule or regulation relating to fish, game or fur-bearing animals, is prosecuted, shall, within thirty days after any fine or forfeiture is paid, remit the amount thereof to the director provided however, that from each fine collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars, and the same

shall be disposed of as provided in section 12, chapter 377 of the Revised Laws, as amended.

**12. Takes Effect.** This act shall take effect upon its passage.

[Approved August 29, 1951.]

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## CHAPTER 225.

### AN ACT RELATING TO ONE DAY'S REST IN SEVEN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Hours of Labor.** Amend sections 35, 36, 37, 38 and 39 of chapter 212 of the Revised Laws, by striking out said sections and inserting in place thereof the following:

#### **Days of Rest, etc.**

**35. Prohibition.** No person shall require or request any employee engaged in any occupation to work more hours in any one day than is limited by law, in order to make up lost time by reason of a legal holiday.

**36. Sunday Work.** Whoever requires an employee engaged in any occupation to do on Sunday the usual work of his occupation, unless he is allowed during the six days next ensuing twenty-four consecutive hours without labor, shall be fined not more than fifty dollars; provided that this section and the following section shall not be construed as allowing any work on Sunday not otherwise authorized by law.

**37. Day of Rest.** No employer shall operate any such business on Sunday unless he has posted in a conspicuous place on the premises a schedule containing a list of employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall promptly file a copy of such schedule and every change therein with the commissioner of labor. No employee shall be required or allowed to work on the day of rest designated for him. Whoever violates this section shall be fined fifty dollars.

**38. Applications of Provisions.** The two preceding sections shall not apply to establishments used for the manu-

facture or distribution of gas, electricity, milk or water, nor to the transportation, sale, or delivery of food.

**39. Exceptions.** Sections 36 and 37 shall not apply to the following employees:

I. Janitors, watchmen, firemen employed at stationary plants, or caretakers.

II. Employees whose duties on Sunday include only setting sponges in bakeries; caring for live animals or caring for machinery and plant equipment.

III. Employees engaged in the preparation, printing, publication, sale or delivery of newspapers, or periodicals with definite on-sale newsstand dates.

IV. Employees engaged in farm or personal service.

V. Employees engaged in any labor called for by an emergency which could not reasonably have been anticipated.

VI. Employees engaged in the canning of perishable goods.

VII. Employees engaged in any work connected with retail stores in resort areas; cabins and inns; and in theatres, motion picture houses, hotels and restaurants.

VIII. Employees of telegraph and telephone offices.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 29, 1951.]

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## CHAPTER 226.

### AN ACT RELATIVE TO FILLING VACANCIES ON PARTY TICKETS AFTER PRIMARY ELECTIONS AND RELATIVE TO CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Vacancies, How and When Filled.** Amend section 52, chapter 33, of the Revised Laws as amended by section 4, chapter 159, Laws of 1947 by striking out said section and inserting in place thereof the following: **52. Vacancies.** Vacancies upon any party ticket in county, town or ward occurring after the holding of any primary shall be filled by



the party committee for the county, town or ward in which the vacancy exists. All other vacancies upon any party ticket so occurring shall be filled by the state committee of the party or if previously authorized by the state committee, by the executive committee thereof. The name of any person so appointed shall be placed upon the official ballot provided notice of the appointment is seasonably filed with the secretary of state, except that notices of appointment where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination or where the sole candidate filing for nomination shall be disqualified for any reason shall be filed with the secretary of state forty days prior to the day of election for all candidates for any office. The number of days herein given shall include Sundays and shall end on the day before election at six o'clock in the afternoon.

**2. Corporations.** Amend section 3 of chapter 274 of the Revised Laws by striking out the word "or" after the word "incorporated" in the second line and inserting in place thereof the word, and, so that said section as amended shall read as follows: **3. Name.** The corporate name must end with the abbreviation "Inc." or must include the word "corporation" or "incorporated" and may include the word "company" or the abbreviation "Co." if that word or abbreviation is not immediately preceded by the word "and" or the abbreviation "&." The provisions of this section shall not affect the right of any corporation existing on April 3, 1931, to continue the use of its name. Subject to the above limitation any corporate name may be assumed which is not in use by any other New Hampshire corporation or any foreign corporation admitted to do business in this state, and which is not so similar thereto or to that of any partnership or association carrying on business in this state, as to be liable to be mistaken for it; provided that such name or similar name may be adopted with the consent in writing of such existing corporation, partnership, or association filed with the articles of agreement.

**3. Takes Effect.** This act shall take effect upon its passage.  
[ Approved August 29, 1951.]

## CHAPTER 227.

AN ACT RELATING TO INVESTMENT OF TRUST FUNDS BY TOWNS  
AND CITIES, CEMETERY CORPORATIONS, STATE INSTITUTIONS  
AND THE UNITED BAPTIST CONVENTION OF  
NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Common Trust Funds.** Amend chapter 51 of the Revised Laws by inserting after section 31 the following new sections: **31-a. Collective Investments.** Notwithstanding any statute or rule of law to the contrary, town and city trustees of trust funds may establish, maintain and operate one or more common trust funds, in which may be combined money and property belonging to the various trusts in their care, for the purpose of facilitating investments, providing diversification and obtaining reasonable income; provided however, that said common trust funds shall be limited to the investments authorized in section 23 of this chapter; provided further, that not more than ten thousand dollars, or more than ten per cent of the fund whichever is greater, of any town or city common trust funds shall be invested under section 23 in the obligations of any one corporation or organization, excepting deposits in savings banks, obligations of the United States and of the state of New Hampshire and its subdivisions; and provided further, that the participating contributory interests of said trusts are properly evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profits and income allocable to each trust. **31-b. Contributions and Withdrawals.** Contribution to any common trust fund shall be made on the basis of its market value at the time such contribution is recorded in the books of the trustees. The withdrawal of a particular trust fund from any common trust fund shall be made proportionately on the basis of the market value of said common trust fund at the time such withdrawal is recorded in the books of the trustees. **31-c. Exception.** The provisions of section 31-a shall not apply where the instrument creating the particular trust specifically prohibits collective investment or where such investment shall violate any specific court order made in any particular trust. **31-d. Reports.** A copy of the reports required of the town

and city trustees and of the auditor thereof shall be filed annually with the attorney-general. **31-e. Application.** The provisions of sections 23, 31-a, 31-b, 31-c and 31-d shall be construed liberally to effectuate the purposes stated in section 31-a.

**2. Cemetery Corporations.** Amend chapter 68 of the Revised Laws by inserting after section 12 the following new sections: **12-a. Investments.** Cemetery corporations holding funds in trust as provided in section 12 may establish, maintain and operate common trust funds as provided in sections 31-a, 31-b, 31-c and 31-e of chapter 51 of the Revised Laws. **12-b. Reports.** A copy of the annual financial report of such corporations shall be filed with the attorney-general unless otherwise required by law to file such a report with any town, city, county or state agency.

**3. State Trust Funds.** Amend section 5 of chapter 210 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **5. Investment of State Trust Funds.** The state agencies administering state trust funds may establish, maintain and operate common trust funds as provided in sections 23, 31-a, 31-b and 31-c of chapter 51 of the Revised Laws.

**4. Accounts.** Amend section 7 of chapter 210 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **7. Accounts.** The agencies designated to administer the trust funds specified in section 1 shall keep appropriate bookkeeping records, showing on an annual basis the amount of each trust fund and the profits and income allocable to each trust. A copy of such records shall be approved annually by the governor and council and filed with the state treasurer.

**5. The United Baptist Convention of New Hampshire.** The United Baptist Convention of New Hampshire, a corporation organized under an act of the legislature approved June 24, 1826, as amended by chapter 277, Laws of 1917, is authorized, through its trustees, to merge any and all funds received or held by it into a consolidated investment fund. Each separate fund so merged shall be represented by its proportionate part of said consolidated investment fund, and income returnable for each separate fund so merged shall be that proportion of the total net income earned by said consolidated investment

fund which each separate fund so merged bears to the whole investment fund. In any accounting, probate or otherwise, of the administration of said separate funds a proper account filed in accordance with the merger and investment powers herein conferred shall be accepted and approved. Provided however, that no funds shall be merged under the authority hereof if the investment creating the trust provides otherwise.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 29, 1951.]

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## CHAPTER 228.

AN ACT RELATING TO THE UNIVERSITY OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Equalized Valuation.** Amend section 18 of chapter 222 of the Revised Laws, as inserted by section 1 of chapter 37 of the Laws of 1947, by striking out the word "assessed" in line 5 and inserting in place thereof the word, equalized, so that said section as amended shall read as follows: **18. The State Fund.** For the purpose of providing a fund to be known as the University of New Hampshire fund the state treasurer shall credit to such fund, for each of the fiscal years in each biennial period, a sum equal to one and one-half mills on each dollar of the equalized valuation of the taxable property in the state as of April 1 of the calendar year preceding such biennial period.

**2. Poultry Culture.** Sections 28 and 29 of chapter 222 of the Revised Laws relative to poultry culture at the University of New Hampshire are hereby repealed.

**3. Appropriation.** In addition to the funds appropriated for the University under the general appropriation acts there is hereby appropriated the sum of three hundred thousand dollars (\$300,000) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the University of New Hampshire fund. The governor is authorized to draw his warrants for the additional sums appropriated under this section out of any money in the treasury not otherwise appropriated. For the biennium ending June 30, 1953 the

amounts appropriated by this section and by the general appropriation acts shall be the total appropriations for the University of New Hampshire for said period. Such parts of section 18 of chapter 222 of the Revised Laws as hereinbefore amended as may be inconsistent with the provisions of this section are hereby suspended until June 30, 1953.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 29, 1951.]

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## CHAPTER 229.

AN ACT RELATIVE TO OPERATION OF MOTOR VEHICLES IN A  
GROSSLY CARELESS OR GROSSLY NEGLIGENT MANNER,  
SUSPENSION OF LICENSES IN SUCH CASES, AND  
MILITARY SERVICE CREDITS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Mandatory Return of License to Commissioner.** Amend section 13 of chapter 118 of the Revised Laws, as inserted by section 2, chapter 180, of the Laws of 1951, by striking out said section and inserting in place thereof the following: **13. Revocation of License.** Upon a conviction of a violation of sections 12 or 16 the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under sections 12 or 16, immediately revoke the license of the person so convicted, and said court or justice in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the commissioner; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

**2. Return of License in Appealed Cases.** Amend section 14 of chapter 118 of the Revised Laws, as inserted by section 2 of chapter 180 of the Laws of 1951, by striking out the same and inserting in place thereof the following: **14. Suspension.** Whenever any person convicted of a violation of section 12 or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent oper-

ation, and shall, in case of any other convictions under said sections, forthwith suspend the license of such person, and in case of holders of New Hampshire licenses shall return such licenses, together with the court return, to the commissioner, who shall not reissue said license until such person is acquitted. If the person so appealing is convicted the period of suspension shall be computed from the date of the initial conviction.

**3. Military Service Credits.** Amend section 4, chapter 136-B of the Revised Laws as inserted by chapter 6, Laws of 1950, by adding at the end thereof the following new paragraph: V. Any member who after the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, shall be entitled to service credit for the period of such military or other wartime service, provided he is re-employed as a teacher within a year after the termination of such military or other wartime service, unless he is prevented from such reemployment by virtue of disability incurred during the period of such military or other wartime service, and provided further that he elects to make all payments to the system he would have been required to make had he been employed as a teacher during the period of such military or other wartime service.

**4. Takes Effect.** This act shall take effect upon its passage. [Approved August 29, 1951.]

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## CHAPTER 230.

### AN ACT INCREASING SALARIES OF DEPUTY REGISTERS OF PROBATE AND RELATIVE TO SOLICITING CONTRIBUTIONS FOR ELECTION OF CANDIDATES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. County Probate Offices.** Amend section 21 of chapter 347 of the Revised Laws as amended by chapter 199 of the Laws of 1945 by striking out said section and inserting in place thereof the following: **21. Salaries of Deputies.** -The annual

salaries of the deputy registers of probate shall be paid by the state and shall be as follows:

In Rockingham county, nineteen hundred dollars.

In Strafford county, fifteen hundred dollars.

In Belknap county, twelve hundred dollars.

In Carroll county, twelve hundred dollars.

In Merrimack county, nineteen hundred dollars.

In Hillsborough county, twenty-three hundred dollars.

In Cheshire county, fifteen hundred dollars.

In Sullivan county, thirteen hundred dollars.

In Grafton county, fifteen hundred dollars.

In Coos county, fifteen hundred dollars.

**2. Prohibitions under Election Laws.** Amend section 8 of chapter 42 of the Revised Laws by adding after the word "legislature" in the fifth line the words, county official, so that said section as amended shall read: **8. Soliciting Contributions.** No person shall solicit or invite any contribution, subscription or payment from any person who is a candidate for election to, or, prior to the expiration of his term of office, from any person who has been elected to, the office of governor, United States senator, representative in congress, councilor, state senator or representative to the legislature, county official, or from any political committee, for himself or for any fraternal organization, labor organization, lodge, secret society, club or similar organization; nor shall any person solicit or invite any such candidate or elected person or political committee to buy tickets to any entertainment or ball, or for the aid of any such organization, or to pay for space or advertising in any book, program or publication; and no candidate, official or committee shall make any such contribution, subscription, payment or purchase. Any person violating any provision of this section shall be fined not more than one hundred dollars.

**3. Takes Effect.** This act shall take effect as of September 1, 1951.

[Approved August 29, 1951.]

## CHAPTER 231.

AN ACT RELATIVE TO LOBSTER MEAT PROCESSED OUTSIDE THE  
JURISDICTION OF THIS STATE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Imported Lobster Meat.** Amend section 47-b of chapter 245 of the Revised Laws as inserted by section 3, chapter 200, Laws of 1951 by striking out the last two sentences of said section so that said section as amended shall read as follows:

**47-b. Lobster Meat.** No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdiction of this state unless such meat shall comply with section 47 of this chapter. The inclusion of any such meat of less than the prescribed legal length within any container, package, receptacle or tray shall subject all such meat included in said container, package, receptacle, or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 47.

**2. Takes Effect.** This act shall take effect as of January 1, 1952.

[Approved August 29, 1951.]

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CHAPTER 232.

## AN ACT TO ESTABLISH A LEGISLATIVE COUNCIL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Establishment of Legislative Council; Members; Appointment.** There is hereby established a legislative council to consist of fifteen members, nine from the house of representatives to be appointed by the speaker, three from the senate to be appointed by the president, and three others who are neither members of the legislature nor state officials nor employees to be appointed by the governor. The members appointed by the speaker shall be representatives of both political parties and shall be appointed in the same ratio as the said parties bear to each other in the elected membership



of the house. Of the members appointed by the president, two shall be from the majority party and one from the minority; of the members appointed by the governor, two shall be of the majority party and one of the minority. Such appointments shall, so far as possible, be so distributed as to make the legislative council representative of all sections of the state. Members of the legislative council shall be appointed prior to adjournment of the regular biennial sessions of the legislature and shall hold office from the date of their appointment until the convening of the next succeeding biennial session of the legislature following their appointment. Any vacancy arising in the membership shall be filled by the appointing official.

**2. Meetings; Quorum.** The legislative council shall meet within ten days after its creation and organize by selecting a chairman and a vice-chairman, one of whom shall be a member of the senate and one of whom shall be a member of the house of representatives. The council shall also select a secretary, who shall keep the records of the council during the vacation or recess of the general court. The regular meeting place of the council shall be at the state house, Concord, New Hampshire, and after its inception and organization it shall meet upon call of the chairman, and in any event at least quarterly. A majority of the members of the legislative council shall constitute a quorum, and its membership shall serve without compensation but shall be entitled to mileage and necessary expenses incurred while attending any meetings of the council within the state when the general court is not in session, provided, however, that no member shall receive for such expenses more than two hundred and fifty dollars for the biennium.

**3. Rules.** The legislative council shall establish rules to govern its practice and procedure and shall appoint such committees from its membership as are necessary to perform its duties under this chapter.

**4. Duties.** It shall be the duty of the legislative council to consider all matters referred to it by the general court and by the governor and council, as well as such problems of major concern throughout the state as might reasonably be expected to come before the general court for its consideration. All interim commissions previously appointed under acts of 1951 shall report to and be subject to the jurisdiction of the legis-

lative council. The legislative council shall prepare in advance of each regular session of the general court a report incorporating its studies and the studies of the interim commissions responsible to it, together with a legislative program based upon its research, studies and exploration of the state's problems. The chairman of the legislative council shall appoint committees from its membership to consider, study and resolve particular matters under consideration. The legislative council shall have power to employ, within the limits of its appropriation, such experts as may be required to perform its duties. It shall have authority to hold public hearings, to request information from all governmental departments and agencies, to require the appearance and to secure testimony and evidence by use of a subpoena *duces tecum* so far as such appearance, testimony and evidence is material and relevant to the preparation of legislation, to consult from time to time while the legislature is not in session with the governor regarding the execution of legislative policy by the executive departments, and to request the cooperation of the legislative drafting service of the attorney general's office. The legislative council shall consult from time to time with the committee to study uniform state laws established by section 8 of part 5 of chapter 5 of the Laws 1950, on uniform legislation. The legislative council may require state, county, city and town officers to furnish such reports, data, memoranda and other facts as may come within the custody or knowledge of said officers in their official capacity, when said reports, data, memoranda and other facts are deemed by the council to be necessary in the performance of its duties. Wilful failure to comply with such a request shall be deemed a misdemeanor. Upon the recommendation of the council, the chairman shall have the power to appoint to advisory committees persons who may or may not be members of the council but who shall have proper qualifications and specialized knowledge to assist the council in performing its duties.

**5. Interpretation.** It is the declared intention of this act to effectively coordinate the duties of all interim commissions established and appointed under any act of 1951 and it is further declared to be the intention of this act to eliminate the establishing of interim commissions in the future. This act shall be interpreted to carry on the above-stated intentions.

**6. Appropriation.** The sum of five thousand dollars is hereby appropriated for the biennium ending June 30, 1953, for purposes of this chapter.

**7. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

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## CHAPTER 233.

### AN ACT RELATIVE TO THE SALARIES OF THE GRAFTON COUNTY COMMISSIONERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Grafton County.** Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949 and chapter 149, Laws of 1951 by striking out in the eleventh line the words "ten hundred" and inserting in place thereof the words, twelve hundred, so that said section as amended shall read as follows:  
**27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, twelve hundred dollars.

In Belknap, twelve hundred dollars.

In Merrimack, fifteen hundred dollars.

In Hillsborough, three thousand dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, ten hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

**CHAPTER 234.**

AN ACT TO PROVIDE FOR THE COVERAGE OF CERTAIN OFFICERS AND  
EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER  
THE OLD-AGE AND SURVIVORS INSURANCE PROVISIONS OF  
TITLE II OF THE FEDERAL SOCIAL SECURITY ACT,  
AS AMENDED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Declaration of Policy.** In order to extend to employees of the state and its political subdivisions and to the dependents and survivors of such employees, the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act, it is hereby declared to be the policy of the general court, subject to the limitations of this act, that such steps be taken as to provide such protection to employees and officials of the state and its political subdivisions on as broad a basis as is permitted under the Social Security Act, except as may be otherwise specifically limited herein.

**2. Definitions.** For the purposes of this act:

I. The term "wages" means all remuneration for employment as defined herein, including the cash value of all remuneration paid in any medium other than cash, except that such term shall not include that part of such remuneration which, even if it were for "employment" within the meaning of the Federal Insurance Contribution Act, would not constitute "wages" within the meaning of that act;

II. The term "employment" means any service performed by an employee or official in the employ of the state, or any political subdivision thereof, for such employer, except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act; or (2) service which under the Social Security Act may not be included in an agreement between the state and the Federal Security Administrator entered into under this act, or (3) service performed by members and those eligible to be members of the state employees' retirement system, teachers' retirement system, policemen's retirement system and firemen's retirement system;

III. The term "employee" includes an official or officer of this state or political subdivision thereof;

IV. The term "state agency" means the commissioner of public welfare and includes any division of the department of public welfare created for purposes of administering this chapter and to which the commissioner of public welfare has delegated any of his functions under this chapter, or any other agency duly designated to administer the provisions of this chapter by the governor and council in accordance with section 5 of part 25 of chapter 5 of the Laws of 1950;

V. The term "federal security administrator" includes any individual to whom the federal security administrator has delegated any of his functions under the Social Security Act with respect to coverage under such act of employees of states and their political subdivisions;

VI. The term "political subdivision" includes an instrumentality of a state, of one or more of its political subdivisions, or of a state and one or more of its political subdivisions, but only if such instrumentality is a juristic entity which is legally separate and distinct from the state or subdivision and only if its employees are not by virtue of their relation to such juristic entity employees of the state or subdivision;

VII. The term "Social Security Act" means the Act of Congress approved August 14, 1935, chapter 531, 49 Stat. 620, officially cited as the "Social Security Act," including regulations and requirements issued pursuant thereto, as such act has been and may from time to time be amended; and

VIII. The term "Federal Insurance Contributions Act" means subchapter A of chapter 9 of the Federal Internal Revenue Code as such code has been and may from time to time be amended.

**3. Federal-State Agreement and Interstate Instrumentalities.** I. Federal-State Agreement. The state agency, with the approval of the governor and council, is hereby authorized to enter on behalf of the state into an agreement with the federal security administrator, consistent with the terms and provisions of this act, for the purpose of extending the benefits of the federal old-age and survivors insurance system to employees of the state or any political subdivision thereof with

respect to services specified in such agreement which constitute "employment" as defined in section 2 of this act. Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions as the state agency and Federal Security Administrator shall agree upon, but, except as may be otherwise required by or under the Social Security Act as to the services to be covered, such agreement shall provide in effect that:

(1) Benefits will be provided for employees whose services are covered by the agreement and their dependents and survivors on the same basis as though such services constituted employment within the meaning of title II of the Social Security Act;

(2) The state will pay to the Secretary of the Treasury, at such time or times as may be prescribed under the Social Security Act, contributions with respect to wages, equal to the sum of the taxes which would be imposed by sections 1400 and 1410 of the Federal Insurance Contributions Act if the services covered by the agreement constituted employment within the meaning of that act;

(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein but in no event may it be effective with respect to any such services performed prior to the first day of the calendar year in which such agreement is entered into or in which the modification of the agreement making it applicable to such services, is entered into;

(4) All services which constitute employment hereunder and are performed in the employ of the state by employees of the state, shall be covered by the agreement; and

(5) All services which (a) constitute employment as defined in section 2, (b) are performed in the employ of a political subdivision of the state, and (c) are covered by a plan which is in conformity with the terms of the agreement and has been approved by the state agency under section 5, shall be covered by the agreement.

II. Interstate Instrumentalities. Any instrumentality jointly created by this state and any other state or states is hereby authorized, upon the granting of like authority by such other state or states, (1) to enter into an agreement with the

Federal Security Administrator whereby the benefits of the federal old-age and survivors insurance system shall be extended to employees of such instrumentality, (2) to require its employees to pay and for that purpose to deduct from their wages contributions equal to the amounts which they would be required to pay under section 4 (I) if they were covered by an agreement made pursuant to paragraph I of this section, and (3) to make payments to the Secretary of the Treasury in accordance with such agreement, including payments from its own funds, and otherwise to comply with such agreements. Such agreement shall, to the extent practicable, be consistent with the terms and provisions of said paragraph (I) and other provisions of this act.

**4. Contributions by State Employees.** I. Every employee of the state whose services are covered by an agreement entered into under section 3 shall be required to pay for the period of such coverage, into the contribution fund established by section 6, contributions, with respect to wages, equal to the amount of tax which would be imposed by section 1400 of the Federal Insurance Contributions Act if such services constituted employment within the meaning of that act. Such liability shall arise in consideration of the employee's retention in the service of the state, or his entry upon such service, after the enactment of this act.

II. The contribution imposed by this section shall be collected by deducting the amount of the contribution from wages as and when paid, but failure to make such deduction shall not relieve the employee from liability for such contribution.

III. If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration, proper adjustments, or refund if adjustment is impracticable, shall be made, without interest, in such manner and at such times as the state agency shall prescribe.

**5. Plans for Coverage of Employees of Political Subdivisions.** I. Each political subdivision of the state is hereby authorized to submit for approval by the state agency a plan for extending the benefits of title II of the Social Security Act, in conformity with applicable provisions of such act, to employees of such political subdivision. Each such plan and any

amendment thereof shall be approved by the state agency if it finds that such plan, or such plan as amended, is in conformity with such requirements as are provided in regulations of the state agency, except that no such plan shall be approved unless—

(1) it is in conformity with the requirements of the Social Security Act and with the agreement entered into under section 3;

(2) it provides that all services which constitute employment as defined in section 2 and are performed in the employ of the political subdivision by employees thereof, shall be covered by the plan;

(3) it specifies the source or sources from which the funds necessary to make the payments required by subparagraph (1) of paragraph III and by paragraph IV are expected to be derived and contains reasonable assurance that such sources will be adequate for such purpose;

(4) it provides for such methods of administration of the plan by the political subdivision as are found by the state agency to be necessary for the proper and efficient administration of the plan;

(5) it provides that the political subdivision will make such reports, in such form and containing such information, as the state agency may from time to time require, and comply with such provisions as the state agency or the federal security administrator may from time to time find necessary to assure the correctness and verification of such reports; and

(6) it authorizes the state agency to terminate the plan in its entirety, in the discretion of the state agency, if it finds that there has been a failure to comply substantially with any provision contained in such plan, such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the state agency and may be consistent with the provisions of the Social Security Act.

II. The state agency shall not finally refuse to approve a plan submitted by a political subdivision under paragraph (I), and shall not terminate an approved plan, without reasonable notice and opportunity for hearing to the political subdivision affected thereby.

III. (1) Each political subdivision as to which a plan has



been approved under this section shall pay into the contribution fund, with respect to wages, at such time or times as the state agency may by regulation prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the state agency under section 3.

(2) Each political subdivision required to make payments under subparagraph (1) of this paragraph is authorized, in consideration of the employee's retention, or entry upon, employment after enactment of this act, to impose upon each of its employees, as to services which are covered by an approved plan, a contribution with respect to his wages not exceeding the amount of tax which would be imposed by section 1400 of the Federal Insurance Contributions Act if such services constituted employment within the meaning of that act, and to deduct the amount of such contribution from his wages as and when paid. Contributions so collected shall be paid into the contribution fund in partial discharge of the liability of such political subdivision or instrumentality under subparagraph (1) of this paragraph. Failure to deduct such contribution shall not relieve the employee or employer of liability therefor.

IV. Delinquent payments due under subparagraph (1) of paragraph III may, with interest at the rate of six per centum per annum, be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may, at the request of the state agency, be deducted from any other moneys payable to such subdivision by any department or agency of the state.

**6. Contribution Fund.** I. There is hereby established a special fund to be known as the contribution fund. Such fund shall consist of and there shall be deposited in such fund: (1) all contributions, interest, and penalties collected under sections 4 and 5; (2) all moneys appropriated thereto under this act; (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund; (4) interest earned upon any moneys in the fund, and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other source. All moneys in the fund shall be mingled and undivided. Subject to the provisions of this act, the state agency is vested with full power, authority

and jurisdiction over the fund, including all moneys and property or securities belonging thereto, and may perform any and all acts whether or not specifically designated, which are necessary to the administration thereof and are consistent with the provisions of this act.

II. The contribution fund shall be established and held separate and apart from any other funds or moneys of the state and shall be used and administered exclusively for the purpose of this act. Withdrawals from such fund shall be made for, and solely for (a) payment of amounts required to be paid to the Secretary of the Treasury pursuant to an agreement entered into under section 3; (b) payment of refunds provided for in section 4 (c) of this act; and (c) refunds of overpayments not otherwise adjustable, made by a political subdivision or instrumentality.

III. From the contribution fund the custodian of the fund shall pay to the Secretary of the Treasury such amounts and at such time or times as may be directed by the state agency in accordance with any agreement entered into under section 3 and the Social Security Act.

IV. The treasurer of the state shall be *ex-officio* treasurer and custodian of the contribution fund and shall administer such fund in accordance with the provisions of this act and the directions of the state agency and shall pay all warrants drawn upon it in accordance with the provisions of this section and the laws of this state and with such regulations as the state agency may prescribe pursuant thereto.

V. (1) There are hereby authorized to be appropriated biennially to the contribution fund, in addition to the contributions collected and paid into the contribution fund under sections 4 and 5, to be available for the purposes of section 6 II and III until expended, such additional sums as are found to be necessary in order to make the payments to the Secretary of the Treasury which the state is obligated to make pursuant to an agreement entered into under section 3.

(2) The state agency shall submit to each regular session of the state legislature, at least ninety days in advance of the beginning of such session, an estimate of the amounts authorized to be appropriated to the contribution fund by subparagraph (1) of this paragraph for the next appropriation period.

**7. Administration.** For the purpose of providing funds for the cost of administering the provisions of this act the state agency is hereby authorized to certify to each division of the state or to any political subdivision which has adopted the provisions of this act a pro-rata share of the cost of administration of this act by the state agency based upon the number of members of said state division or political subdivision coming within the provisions of this act. The contributions payable by employers whose employees participate in the system provided for hereunder shall include the pro-rata share of the cost of administration provided for herein and the amounts so certified shall be a charge against said employer.

**8. Rules and Regulations.** The state agency shall make and publish such rules and regulations, not inconsistent with the provisions of this act, as it finds necessary or appropriate to the efficient administration of the functions with which it is charged under this act.

**9. Studies and Reports.** The state agency shall make studies concerning the problem of old-age and survivors insurance protection for employees of the state and local governments and their instrumentalities and concerning the operation of agreements made and plans approved under this act and shall submit a report to the legislature at the beginning of each regular session, covering the administration and operation of this act during the preceding two calendar years, including such recommendations for amendments to this act as it considers proper.

**10. Separability.** If any provision of this act, or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

**11. Repeal.** All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

**12. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]

## CHAPTER 235.

AN ACT RELATIVE TO CONSERVATION AND THE CONTROL OF LAKES,  
PONDS, RIVERS AND STREAMS FOR PUBLIC USE AND  
BENEFITS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Dams in Disrepair, Channel Improvement.** Amend chapter 266 of the Revised Laws by inserting at the end thereof the following new subdivision:

**Dams in Disrepair and Channel Improvement**

**22. Declaration of Need.** It is declared that there is a state-wide need for conservation and control of waters in streams, rivers, lakes and ponds by repair of dams now in disrepair and construction of new dams, and by stream clearance and channel improvement for the regulation of the water levels of lakes and ponds, the flow of water, for fire prevention and protection, to lessen flood damage, to improve recreational facilities within the state, and for similar public purposes.

**23. Authority Granted.** For the purpose of carrying out the purposes of this subdivision as set forth in section 22, the water resources board is authorized:

I. To acquire in the name of the state by purchase, condemnation, lease or otherwise, real property and rights and easements therein, including dams in disrepair, deemed by it necessary or desirable for the purposes hereof, and to use such property;

II. To construct, reconstruct, maintain and operate such dams and other real property, rights and easements;

III. To enter into agreements whereby individuals, firms, corporations, or municipal corporations may obligate themselves or itself to the payment of the costs or any part thereof for acquisition, construction, maintenance or operation of facilities as provided for in paragraphs I and II.

**24. Advisory Board.** There shall be an advisory board to advise the water resources board relative to the initiation of facilities under the provisions of this subdivision. The council on resources and development constituted by section 1, chapter 249-A, Revised Laws, as inserted by section 1, part 12, chapter 5, Laws of 1950, shall constitute the advisory board hereunder.

**25. Compensation.** The members of the advisory board shall serve without pay but their expenses shall be paid from the appropriation made for the purposes of this subdivision.

**26. Approval of Facilities.** The water resources board, after consulting with the advisory board, shall study and survey each facility and shall submit to the governor and council a report including a detailed description and plan of the same and a detailed estimate of the total cost thereof and of the funds which may be received from individuals, firms, corporations or municipal corporations therefor. The governor and council upon receiving such report shall determine whether the proposed facility will be of public use and benefit and within the authority conferred upon the water resources board. No facility under this subdivision shall be finally undertaken until the same is approved by the governor and council.

**27. Application of Statutes.** The provisions of sections 1 to 21 of this chapter shall apply to the facilities undertaken under the authority of this subdivision in so far as the same are not inconsistent with the provisions of this subdivision.

**28. Municipal Appropriations.** For the purpose of paying the expense, or a part thereof, of the cost of a facility undertaken by the state under the provisions of this subdivision, as provided by any agreement with the state, a city or town, or village district having general powers of a town, may raise and appropriate such sums of money as may be required under such agreement or may borrow money and issue serial notes or bonds for the paying thereof.

**2. Appropriation.** There is hereby appropriated for the purpose of carrying out the provisions of this act the sum of one thousand dollars for the year ending June 30, 1952, and a like sum for the year ending June 30, 1953, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The sums hereby appropriated shall not lapse but shall be added to the appropriation for the water resources board of any succeeding fiscal year to be used for the purposes herein contained.

**3. Takes Effect.** This act shall take effect as of September 1, 1951.

[Approved August 31, 1951.]

**CHAPTER 236.****AN ACT RELATIVE TO RETIREMENT BENEFITS FOR COURT  
STENOGRAPHERS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Employees' Retirement System.** Amend chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 and as amended by chapter 63 of the Laws of 1947 by inserting after section 3-a the following new section: **3-b. Court Stenographers.** Any person who becomes a court stenographer after the date of the passage of this act shall become a member of the retirement system as a condition of employment, and court stenographers are hereby declared to be state employees for the purposes of the retirement system. Any person who is a court stenographer at the date of the passage of this act upon application therefor within thirty days may become a member of the retirement system as of that date and shall be entitled to prior service credit as provided in paragraph IV of section 4 hereof.

**2. Prior Service Credit.** Amend chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 and as amended by chapter 113 of the Laws of 1947 by inserting after paragraph III of section 4 the following new paragraph: IV. Any court stenographer, provided he makes application within thirty days after the passage of this act, and not otherwise, shall be entitled to prior service credit rendered as such stenographer prior to July 1, 1951.

**3. Appropriation.** The sum of thirteen thousand six hundred fifty-six dollars is hereby appropriated for the purpose of carrying out the provisions of this act relative to providing the necessary contributions for prior service credits for court stenographers and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**4. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved August 31, 1951.]

## CHAPTER 237.

AN ACT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A  
SPECIAL POLL TAX FOR STATE PURPOSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Special Head Tax.** There is hereby levied and assessed in 1951 and 1952 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

**2. Resident Defined.** The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding the date of each assessment of the head tax hereunder.

**3. Time of Payment.** Said head tax shall be assessed upon September 1, in the year 1951 and April 1, 1952 and payable upon demand on or after each of said dates.

**4. Collection.** The selectmen of towns and assessors of cities shall on or before October first in 1951 and June 1, 1952, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city, directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected.

**5. Penalty.** There shall be added to any special head tax not paid in full on or before December first following the assessment thereof the sum of fifty cents which shall be collected with the tax as incident thereto.

**6. Remedies for Collection.** Said special head taxes may be collected by all of the means and methods provided in chapter 80 of the Revised Laws and the provisions of section 3 of chapter 116 of the Revised Laws as amended by chapter 150 of the Laws of 1949 shall apply to the special head tax assessed hereunder.

**7. Husband Liable.** A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

**8. Liability to Towns and Cities.** Each town and city shall be liable to the state for all special head taxes lawfully assessed in said town or city and not abated as provided by section 12 hereof.

**9. Payment to the State.** Each town and city shall cause its treasurer to pay over to the state treasurer in the months of January, April, July and October all special head taxes and penalties collected during the preceding three months after first deducting two per cent of the amount collected to defray the extra expense incurred by the cities and towns, said deduction to be credited by the city and town treasurers to the general funds of the cities and towns wherein the tax collector is paid on a full time basis, and in towns where the tax collector is paid on a part time or commission basis, to the collector.

**10. Further Payment.** In view of the added cost to towns and cities in making up the original lists for assessment of tax hereunder the selectmen of towns and assessors of cities may certify to the tax commission the total number of names of persons liable to a head tax hereunder on the first warrant issued to their respective tax collector. The tax commission after examination of said certification shall certify to the state treasurer the number of names on each said first tax warrant issued and the state treasurer shall reimburse each town and city to the extent of two cents for each name on said warrant respectively to enable the town or city to meet the extra cost involved in making the original assessment. The reimbursements authorized by this section shall be a charge upon the funds collected by the state hereunder and shall be in addition to the deductions authorized under section 9.

**11. Extents.** The state treasurer shall issue his extent for the amount of all head taxes and penalties which have been collected and not remitted by any town or city as provided above.

**12. Final Payment.** Each town and city shall cause its treasurer in the month of October in the year following the year of assessment to pay over the amount of all unpaid head taxes not lawfully abated for which the town or city is liable. If payment is not made as provided herein then the state treasurer in the following month shall issue his extent therefor and any head taxes with the penalties due thereon thereafter collected shall be retained by the town or city collecting the same.



**13. Abatements.** Selectmen and assessors for good cause shown may abate any special head tax assessed by them or by their predecessors. If the selectmen or assessors shall lawfully abate any special head tax after the final amount for which the town or city is liable has been paid to the state, as hereinbefore provided, then upon request therefor made by such city or town, the state treasurer with the approval of the governor and council shall refund to such city or town the amount of such taxes lawfully abated.

**14. Supplementary Bond of Collector.** Whenever the tax commission deems it necessary, a collector of taxes or town manager may be required to furnish a further and additional bond beyond that required by other provisions of law with sufficient sureties, in such form and amount as the commission may approve. The premiums shall be paid by the state.

**15. Supplies, Bills and Postage.** The tax commission shall provide each city and town, without charge, printed tax bills, envelopes, postage, or postal cards, and other supplies, to be used in assessing and collecting such special head taxes and in keeping the necessary records relating thereto. It may reimburse any city or town in which it seems more practicable and advisable for it to obtain its own supplies, materials and postage, for the cost thereof provided that the purchase of such supplies, materials and postage by the city or town has been previously approved by the tax commission. The expenses incurred or reimbursements authorized by the tax commission hereunder and for supplemental bonds required hereunder, shall be a charge against the funds collected by the state under the provisions hereof.

**16. Exemptions.** All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax.

**17. Disposition of Taxes.** All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in sections 9, 10 and 15, shall be deposited in the general funds of the state.

**18. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]

**CHAPTER 238.**

AN ACT RELATIVE TO MAKING APPROPRIATIONS FOR AND ON  
BEHALF OF THE NEW HAMPSHIRE WING,  
CIVIL AIR PATROL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Purpose.** It is hereby found and declared that the utilization by the State of New Hampshire of the personnel, aircraft and equipment of the New Hampshire Wing, civil air patrol (the official Civilian Auxiliary of the United States Air Force) is necessary in the event of disaster such as fire, flood, hurricane, earthquake, and for the proper operation of the state civil defense agency, as its air arm, and that the allocation of state funds for the conditioning, maintenance and operation of civil air patrol aircraft, communications facilities and other equipment now in the possession of the New Hampshire Wing, in order that it may be available, in operational condition, and manned by civil air patrol personnel, at all times to the civil defense agency and to any or all other state agencies in the event of disaster resulting from enemy attack, sabotage, or other hostile action, or from fire, flood, hurricane, earthquake, or other natural causes, is therefore desirable.

**2. Appropriations.** There is hereby appropriated, for the fiscal year ending June 30, 1952 the sum of ten thousand dollars; and for the fiscal year ending June 30, 1953 the sum of ten thousand dollars. The sums hereby appropriated shall be expended to carry out the functions and operations of the New Hampshire Wing, civil air patrol, in so far as these operations and functions pertain to the conditioning, maintenance and operation of the equipment now in the possession of the New Hampshire Wing, together with any additional equipment purchased, assigned or donated to said Wing, provided that no part of said sums shall be expended for any commitments made prior to the passage of this act. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

## CHAPTER 239.

AN ACT ESTABLISHING A TRI-STATE AUTHORITY TO ENABLE  
THE COLLECTIVE CONSTRUCTION AND OPERATION OF  
INSTITUTIONS IN MAINE, NEW HAMPSHIRE AND  
VERMONT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

WHEREAS, a tri-state authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont has been proposed, and

WHEREAS, the state of Vermont has proposed an interim commission to study in that state before legislative action be taken, and

WHEREAS, the state of Maine can take no effective action without a constitutional amendment, and

WHEREAS, this is a new and un-tried field and should have the benefit of a detailed interim commission study in this state,

WHEREAS, in view of the action of the other states nothing effective can be done until the next session of the legislature, now therefore,

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Commission Authorized.** There shall be an interim commission of six members constituted as follows, to make a thorough and impartial investigation of all matters pertaining to the establishment of a tri-state authority, so-called, or the setting up of reciprocal agreements in the fields sought to be covered by the said authority. The said interim commission shall consist of the attorney general, *ex-officio*, and five appointive members as follows: two members of the house to be appointed by the speaker of the house, one member of the senate, to be appointed by the president of the senate, and two members to be appointed by the governor, of which latter appointments one shall be from the membership of the house and one shall be from the membership of the senate.

**2. Powers and Duties.** Said commission in performing its duties shall consult with the superintendent of the state hospital, the director of mental hygiene and child guidance

clinics, the superintendent of the Laconia state school, the superintendent of the industrial school, the warden of the state prison, the commissioner of public welfare, the president of the state university, and such others as the commission feels have particular knowledge of the problems involved, and shall prepare a report of its findings and recommendations for legislation, if any, to the legislature of 1953.

**3. Compensation.** The members of the commission shall serve without pay.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

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## CHAPTER 240

### AN ACT RELATIVE TO ACTIVITIES OF THE FORESTRY AND RECREATION COMMISSION IN CONNECTION WITH TRANSFER OF FUNCTIONS THERETO BY THE REORGANIZATION ACT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Declaration of Purpose.** The purposes of the appropriation under section 3 of this act are to provide funds for the following purposes:

I. For development and operation of state recreational areas, now or hereafter established, including any areas or buildings placed under the jurisdiction of the forestry and recreation commission.

II. For the acquisition of areas of unusual scenic, scientific, historic or recreational value suitable for future recreational development.

III. For necessary surveys and plans for future recreational development projects.

**2. Developments.** It shall be the duty of the forestry and recreation commission to draw up the necessary plans and specifications for development of various state recreational areas, and to submit them to the governor and council for approval. The governor and council shall give preference to projects which show promise of becoming wholly or substantially self-liquidating.

3. **Appropriation.** A sum not exceeding one hundred thousand dollars is hereby appropriated for projects authorized under section 1 as may be approved by the governor and council. No part of the appropriation authorized by section 3 shall be used or expended for purposes of erecting the additional ski facilities at Cannon Mountain which have been previously disapproved by the 1951 general court in its rejection of House Bill 431.

4. **Bonds or Notes Authorized.** For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time a total of one hundred thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1963. All bonds or notes, except short-term loans, issued under the provisions hereof shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids.

5. **Form and Accounts.** All such bonds or notes shall be in such form and such denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state and the state treasurer shall keep such account of all such bonds or notes as are kept of other state bonds or notes. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor,

with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

**6. Short-term Loans.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of one hundred thousand dollars.

**7. Payment of Bonds and Notes.** Payment of the bonds and notes authorized hereunder shall be a charge upon the state recreational fund established hereinafter.

**8. Establishment of Fund.** Amend chapter 234 of the Revised Laws by inserting after section 19 the following new section: **19-a. State Recreational Fund.** All revenue derived from fees for services and accommodations on, and rentals from state forests or reservations, historic sites and other areas under the jurisdiction of the forestry and recreation commission and specifically designated as recreational areas, and from federal lands placed under the jurisdiction of the forestry and recreation commission, as recreational areas, including all fares, tolls and charges from the operation of the Cannon Mountain aerial tramway and Mt. Sunapee state park, shall, except as otherwise provided, be paid into the state treasury to be kept by the state treasurer in a separate account as a continuous fund to be known as the state recreational fund from which payments shall be made by the commission, for the following purposes:

I. Operating expenses, and upkeep and services of the Cannon Mountain tramway.

II. Payment of any bonded indebtedness necessitated by the creation of the reimbursement fund established by section 12, chapter 79-A of the Revised Laws, as amended. The amount set aside for this purpose shall not be more than \$25,000 annually.

III. Payment of any bonded indebtedness necessitated by the issuance of bonds or notes under the provisions of chapter 274 of the Laws of 1947.

IV. Operating expenses and upkeep of Mt. Sunapee state park facilities.

V. Payment of any bonded indebtedness created by chapter 190, Laws of 1941, as amended by chapter 153, Laws of 1945.

VI. Payment of any bonded indebtedness occasioned by the issuance of bonds or notes under authority of section 4 of an act passed at the 1951 session of the legislature to provide for the development and extension of state recreational facilities.

VII. The balance of said fund shall be available for expenses pertaining to design, development, administration, operation and maintenance of any recreational areas or facilities. At the close of each fiscal year the unexpended balance of moneys in the state recreational fund shall not lapse but shall be carried forward and be made available for use in subsequent years for said purposes.

**9. Aerial Tramway.** Amend section 6 of chapter 239 of the Revised Laws by striking out said section and inserting in place thereof the following: **6. Revenue.** There shall be collected for carriage upon the tramway and for other services made available therewith such fares, tolls and charges as the forestry and recreation commission shall deem reasonable. The funds so collected shall be covered into the state recreational fund.

**10. Disposition of Funds.** Amend section 6-a of chapter 239 of the Revised Laws, as inserted by section 7, chapter 274, Laws of 1947, by striking out said section and inserting in place thereof the following: **6-a. Bonds for Recreational Activities.** From the funds in the state recreational fund there shall be expended such sums as may be necessary for the payment of any maturing principal payments upon the bonds or notes issued under the provisions of chapter 274, Laws of 1947.

**11. Transfer of Funds.** Any funds heretofore set aside from the receipts from operation of the Cannon Mountain tramway as provided in section 6-a, chapter 274, Laws of 1947, prior to the above amendment shall be transferred to the state recreational fund. Any unexpended funds heretofore in the so-called forest improvement and recreational fund, derived from income from facilities from state recreational areas shall be transferred to the state recreational fund.

**12. Mt. Sunapee Recreational Project.** Amend section 9 of chapter 190 of the Laws of 1941, as amended by section 4, chapter 153, Laws of 1945, by striking out said section and inserting in place thereof the following: **9. Revenue.** There shall be collected for carriage upon the structure constructed hereunder, and for other services made available therewith, such fares and tolls and charges as the forestry and recreation commission shall deem reasonable. Such sums so collected shall be deposited in the state recreational fund.

**13. Repeal.** Section 14 of chapter 239 of the Revised Laws relative to use of revenue from Mt. Sunapee recreational facilities is hereby repealed.

**14. Disposition of Funds.** Amend section 14 of chapter 234 of the Revised Laws, as amended by section 10, chapter 184, Laws of 1945, and section 3, chapter 295, Laws of 1949, by striking out said section and inserting in place thereof the following: **14. Forest Improvement Fund.** All revenue derived from rentals and sale of forest products from lands under the jurisdiction of the forestry and recreation commission and designed by said commission for forestry management and improvement, and from such federal lands placed under the jurisdiction of said commission, and revenue from sale of state forest lands shall be paid into the state treasury. All of such revenue, except that received from the sale of nursery stock from the state forest nursery, shall be kept by the state treasurer in a separate account as a continuous fund to be known as the forest improvement fund from which payments shall be made by the commission for the following purposes:

I. Expenses of forest management and silvicultural operations.

II. For the purchase and improvement of areas suitable for state forests and buildings thereon.

III. For expenses pertaining to development, administration, operation and maintenance of forest areas or facilities, and for the administration and improvement of such federal lands as may be placed under the jurisdiction of said commission for forest purposes.

At the close of each fiscal year the unexpended balance of moneys in the forest improvement fund shall not lapse but



shall be carried forward and be made available for use in subsequent years for said purposes.

**15. Transfer.** Any unexpended funds heretofore in the so-called forest improvement and recreational fund derived from income from the operation of forest practices on state forests shall be transferred to the forest improvement fund hereby established.

**16. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]

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## CHAPTER 241.

### AN ACT FOR COUNTY COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. University of New Hampshire.** Amend section 17-a of chapter 222 of the Revised Laws as inserted by chapter 219 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **17-a. County Extension Work.** There shall be appropriated annually by the state the sum of seventy-two thousand dollars for the purpose of conducting cooperative extension work in agriculture and home economics in the various counties of the state in cooperation with the federal department of agriculture and the said counties and in furtherance of the so-called Smith-Lever Act as accepted by the state under the provisions of chapters 194 and 195 of the Laws of 1915. The sums herein appropriated shall be expended through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. From said appropriation there shall be paid not exceeding the sum of six thousand dollars per year toward the maintenance of a county agricultural agent, a home demonstration agent and a club agent in any county which shall appropriate at least an equal amount for said purposes in said county; and there shall be paid not exceeding the sum of two thousand dollars per year toward the maintenance of each

assistant agent in any county which shall appropriate at least an equal amount for said purpose in said county. The sums hereinbefore appropriated shall be paid to the treasurer of the university and college in four equal installments on the first day of July, October, January and April of each fiscal year.

**2. Appropriation.** In addition to the annual appropriations provided in the appropriation acts for county extension work under section 17-a of chapter 222 of the Revised Laws, there is hereby appropriated for the same purposes the sum of eleven thousand dollars, for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953.

**3. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved August 31, 1951.]

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## CHAPTER 242.

### AN ACT RELATING TO THE TAXATION OF LEGACIES AND SUCCESSIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Legacy and Succession Tax.** Amend section 1 of chapter 87 of the Revised Laws, as amended by chapters 3 and 144 of the Laws of 1945, by inserting after the words "public municipal purposes" and before the words "shall be subject" the following; or to or for the use of educational, religious, cemetery, or other institutions, societies or associations of public charity in any state, other than this state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, so that said section as amended shall read as follows: **1. Taxable Property and Tax Rate.** All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to

persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother, lineal descendant, or adopted child of a decedent, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, or to or for the use of educational, religious, cemetery, or other institutions, societies or associations of public charity in any state, other than this state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved 6:00 P. M., August 31, 1951.]

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## CHAPTER 243.

### AN ACT CONFERRING JURISDICTION UPON THE SUPERIOR COURT OF ACTIONS FOUNDED ON EXPRESS CONTRACT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Actions on Contracts.** Amend chapter 370 of the Revised Laws by adding after section 21 the following new section: **22. Jurisdiction, Actions Against State.** The superior court shall have jurisdiction to enter judgment against the State of New Hampshire founded upon any express contract with the state. Any action brought under this section shall be instituted by bill of complaint and shall be tried by the court without a jury. The jurisdiction conferred upon the superior court by this section includes any set-off, claim or demand whatever on the part of the state against

any plaintiff commencing an action under this section. The attorney general upon the presentation of a claim founded upon a judgment against the state shall submit the claim to the department or agency which entered into the contract and said department or agency shall manifest said claim for payment from the appropriation under which the contract was entered into, provided that if there is not sufficient balance in said appropriation the attorney general shall present said claim to the general court for the requisite appropriation.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

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## CHAPTER 244.

### AN ACT RELATING TO THE LISTING OF TAX EXEMPT PROPERTY AND TO THE EFFECTIVE DATE FOR COLLECTION OF FEES FOR INSPECTIONS OF WEIGHTS AND MEASURES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Property to be Listed.** Amend chapter 75 of the Revised Laws by inserting after section 1 the following new section: **1-a. Additional List.** At the time of making the list of polls and the invoice of estate liable to be taxed the selectmen shall also make an invoice of all lands, buildings and structures which, but for the tax exemption laws of the state, would be taxable as real estate, including all land, but excluding the buildings of the United States, state, county, town, school district or any political subdivision thereof used for public or educational purposes.

**2. Change of Date.** Amend section 7 of chapter 199, Laws of 1951, by striking out the word "July" and inserting in place thereof the word, October, so that said section as amended shall read as follows: **7. Takes Effect.** This act shall take effect as of October 1, 1951.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

## CHAPTER 245.

AN ACT RELATIVE TO MEMBERSHIP OF THE JUDICIAL COUNCIL, DUTIES OF CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES, NAMING OF CERTAIN BRIDGES OVER THE BLUE STAR MEMORIAL HIGHWAY. RELATIVE TO THE CHILDREN'S STUDY HOME, RELATIVE TO MILITARY SERVICE CREDIT FOR TEACHERS, MILITARY SERVICE CREDIT FOR MEMBERS OF THE STATE EMPLOYEES' RETIREMENT SYSTEM, MOTOR VEHICLE FINES AND FORFEITURES, AND RELATIVE TO OPTIONAL ALLOWANCES UNDER THE EMPLOYEES' RETIREMENT SYSTEM.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Judicial Council; Membership.** Amend section 1 of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, by inserting after the words "attorney general" the words, the president of the Bar Association of the State of New Hampshire, so that said section as amended shall read as follows: **1. Judicial Council.** There is hereby established a judicial council which shall consist of a justice of the supreme court, selected by the justices thereof, a justice of the superior court, selected by the justices thereof, the attorney general, the president of the Bar Association of the State of New Hampshire, and seven other members appointed by the governor with the advice and consent of the council, of whom not less than four shall be members of the bar of wide experience.

**2. Additional Member.** Amend section 2 of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **2. Appointment and Tenure of Office.** The term of each member, except the attorney general and the president of the Bar Association of the State of New Hampshire, shall be for three years and until his successor is appointed and qualified. However, in the case of first appointments by the governor and council, two members shall be appointed for one year, two for two years and three for three years. Vacancies shall be filled for the remainder of any term in the same manner as the original appointment. The attorney

general and the president of the Bar Association of the State of New Hampshire shall be members *ex officio*.

**3. Additional Meeting.** Amend section 5 of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, by striking out the word "fourth" and by inserting in place thereof the word, third, and by inserting after the words "Monday in" the word, January, so that said section as amended shall read as follows: **5. Meetings.** The regular meetings of the council shall be held at Concord on the third Monday in January, April and October of each year. Other meetings, regular or special, may be held as provided by the rules and regulations of the council.

**4. Senate and House Clerks.** Amend chapter 9 of the Revised Laws by inserting after section 19, as amended by section 1, chapter 85, Laws of 1951, the following new section: **19-a. Journals.** After each biennial session the clerk of the senate shall file with the secretary of state a printed copy of the journal of the senate complete with index and the clerk of the house of representatives shall file with the secretary of state a printed copy of the journal of the house complete with index. Such copies shall be filed within thirty days after the close of the session. If a clerk fails to file the copy required by this section within the time limited he shall forfeit the payment provided in section 18 or 19 for such filing.

**5. Blue Star Memorial Highway Bridges.** The four bridges in the town of North Hampton over the Blue Star Memorial Highway, also known as the New Hampshire Turnpike from the Massachusetts border to Portsmouth, shall be designated respectively as the John W. F. Hobbs Bridge, the Carl B. Small Bridge, the John J. Brown Bridge and the Quentin Meyer Bridge, in memory of military services rendered by those former residents of the town of North Hampton. The commissioner of public works and highways shall cause suitable markers to be placed on said bridges.

**6. Children's Study Home.** Amend section 3 of chapter 279 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **3. Purposes of the Home.** (a) The home shall be maintained for the psychiatric and psychological study, diagnosis and treatment of such children as may be committed to the care of the commission for that purpose; provided, however, that children so committed

shall not be permitted to remain there longer than six months at any one time. (b) The home shall also be used as a receiving home for the temporary care of dependent and neglected children by the commissioner of public welfare or his authorized agent until such time as more permanent disposition can be made for such a child, but in no event for a period of longer than sixty days. The commissioner of public welfare shall not place any such child in a county farm in this state provided space in the home is available and provided that an infant child under one year of age shall not be separated from its mother unless ordered by a court. All children placed in the home shall be under the jurisdiction of the commission of mental health.

**7. Military Service Credit for Teachers.** Amend paragraph IV of section 4 of chapter 136-B of the Revised Laws as inserted by section 1 of chapter 6 of the Laws of 1950 by striking out said paragraph and inserting in place thereof the following: IV. Anything herein or in chapter 104 of the Laws of 1947 to the contrary notwithstanding, any teacher who prior to the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, and who is a teacher or state employee in service on the date of establishment, shall be entitled to prior service credit for the period of such military or other wartime service, provided he becomes a member of the retirement system within one year after the date of establishment or a member of the state employees' retirement system prior to the date of establishment.

**8. State Employees' Retirement System.** Amend section 4, chapter 27-A of the Revised Laws as inserted by chapter 183, Laws of 1945, by adding at the end thereof the following new paragraph: V. Any employee who after the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, shall be entitled to service credit for the period of such military or other wartime service, provided he again becomes an employee within a year after the termination of such military or other wartime service, unless he is prevented from such reemployment by virtue of disability incurred during the

period of such military or other wartime service, and provided further that he elects to make all payments to the system he would have been required to make had he been in the employ of the state during the period of such military or other wartime service.

**9. Motor Vehicle Fines and Forfeitures.** Amend section 30 of chapter 118 of the Revised Laws as amended by chapter 65 of the Laws of 1945, chapter 94 of the Laws of 1949 and section 15, chapter 163, Laws of 1951, by striking out said section and inserting in place thereof the following: **30. Disposition of.** All fees, fines and forfeitures received by any person under the provisions of any laws of the state relative to the use and operation of motor vehicles, shall be paid to the commissioner within seven days after the receipt thereof, and all moneys received by the commissioner shall be paid monthly to the state treasurer. Provided, however, that from each fine and forfeiture collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars, and the same shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

**10. Employees' Retirement System Optional Allowances.** Amend the first paragraph of section 10 of chapter 27-A of the Revised Laws as inserted by chapter 183, Laws of 1945, by striking out said paragraph and inserting in place thereof the following: Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value under one of the optional forms named below: provided, that no election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is the later, unless the member dies before the expiration of the said sixty days and if such member shall die during the sixty day period the optional benefit elected shall become effective as of the date of death.

**11. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]



## CHAPTER 246

AN ACT PROVIDING FOR A SALARY INCREASE FOR STATE  
EMPLOYEES AND OFFICIALS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Salary Increase.** Notwithstanding any provisions of the salary scale for classified state personnel all full time, permanent, regularly employed classified state employees, and all classified seasonal or part time employees who, in at least two consecutive calendar years, have served or shall serve the state, shall be granted an additional annual salary increase based on the following schedule for employees in the following grades as set by the classified plan:

Grades 1 to 5, inclusive	\$300
Grades 6 to 12, inclusive	\$270
Grades 13, 14, 15	\$240
Grades 16, 17	\$210
Grades 18 to 21, inclusive	\$180
Grades 22 to 24, inclusive	\$150
Grades 25 to 27, inclusive	\$120
Grades 28 to 30, inclusive	\$90

Provided, that in the case of such classified personnel who have entered state service subsequent to July 1, 1951, the additional salary provided for herein shall be paid only from the date of such entrance into state service. The additional salary increase shall be deemed to be a part of the regular salary of said classified employees.

**2. Unclassified Employees and Officials.** All state officials and unclassified employees of the state, regularly employed, other than the members of boards, commissions or committees paid on a per diem basis, which said officials or employees receive from public funds a total gross salary of less than four thousand five hundred dollars per year shall be granted an additional annual salary of two hundred dollars each, except as hereinafter provided. The additional salary increase provided for under this section shall be deemed to be a part of the regular salary of said state officials or unclassified employees. The provisions of this section shall not apply to employees of the University of New Hampshire, official state court stenographers, deputy registers of probate and other state officials

or unclassified employees who are entitled to a salary increase under the provisions of sections 6 and 7 hereof.

**3. Method of Payment.** Each employee or official in state service as of July 1, 1951, entitled to salary increase hereunder, shall receive the amount due on account of such increase calculated from July 1, 1951, to the first of the month following the date of the passage of this act in one lump sum and thereafter shall receive said increase through regular pay roll channels and procedures.

**4. Application of Act.** The provisions of this act shall not be construed as affecting yearly increments of employees or officials or longevity provisions.

**5. Appropriations.** The sum of one million thirty-seven thousand dollars (\$1,037,000) for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953 are hereby appropriated for the salary increases provided for by sections 1 and 2 hereof. The governor with the advice and consent of the council is hereby authorized to cause to be transferred from special funds of the following departments and commissions such sums as may be needed to provide the amounts necessary to provide the salary increases hereby authorized for officials and employees of said departments and commissions: forestry and recreation commission aerial tramway funds; fish and game department; public works and highways department; hairdressers' board; barbers' board; liquor commission; motor vehicle department; racing commission; teachers' retirement board; public welfare department; and the division of employment security within the department of labor. The balance of sums necessary to provide funds hereunder shall be a charge upon the general funds of the state.

**6. State Officials.** In view of the fact that heads of state departments have not had a general salary adjustment since 1947, there is hereby appropriated the sum of sixteen thousand one hundred twenty-five dollars (\$16,125) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the purpose of providing salary adjustments of the administrative heads of state departments and agencies and their deputies or assistants whose salaries are fixed by statute on the following basis:

1. Each annual salary for each full time position set forth in chapters 249 and 250 of the Laws of 1947, except in

cases where an increase in salary for said position has been provided subsequent to the passage of said acts, and except where the position has been abolished, and except as otherwise provided in section 7, shall be increased by three hundred seventy-five dollars.

II. The annual salary of positions of state officials which have been increased since 1947 by less than three hundred seventy-five dollars shall be now increased by such sum as will make the increase over the 1947 salary three hundred seventy-five dollars.

III. The legislative council is hereby directed to make a study of the salaries of all unclassified positions and to submit a report and recommendations to the next legislature, not later than December 31, 1952.

The governor, with the advice and consent of the council, is authorized to cause to be transferred from special funds of specific departments or commissions having special funds, such sums as may be necessary to provide the salary increases provided for in this section for officials of said departments or commissions. The balance of sums appropriated by this section shall be a charge upon the general funds.

**7. Specific Salary Increases.** Notwithstanding any other provisions of this act the salaries of the following officials shall be as follows:

	Minimum	Maximum
Secretary tax commission	\$6,000	\$6,500
State librarian	\$4,500	\$5,000
Assistant state librarian	\$3,500	\$4,000

Any provisions of chapter 250 of the Laws of 1947 inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistencies. The annual salary of the assistant to the legislature shall be five hundred dollars in addition to the salary set by the appropriation acts for each year. To provide the funds necessary for the salary increases provided for by this section there is hereby appropriated the sum of two thousand seven hundred and fifty dollars for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953. The sums hereby appropriated shall be a charge upon the general funds of the state.

**8. Justices.** In addition to the salaries for the chief justice and associate justices of the superior court and the salaries of

the chief justice and associate justices of the supreme court each such justice shall receive an annual salary increase of three hundred seventy-five dollars for each of the fiscal years ending June 30, 1952 and June 30, 1953. The sum of four thousand one hundred twenty-five dollars for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, are hereby appropriated for the purpose of providing funds for the salary increases provided for by this section. The sums hereby appropriated shall be a charge upon the general funds of the state.

**9. Extension of Appropriation.** Notwithstanding any other provisions of law, any balance of the appropriation made by section 5, chapter 9, Laws of 1950, shall be available and may be expended for any salary adjustments for classified employees which have been or shall be approved by the personnel commission to cover salary increases for the fiscal year ending June 30, 1951.

**10. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]

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## CHAPTER 247.

### AN ACT RELATING TO THE ELECTION OF REPRESENTATIVES TO THE GENERAL COURT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Representatives.** Amend sections 3 and 4 of chapter 40 of the Revised Laws, as amended by chapter 36, Laws of 1943, by striking out said sections and inserting in place thereof the following: **3. Apportionment.** Until another general census of the state is taken and officially promulgated, the following named towns and wards may send representatives to the general court under the authority of the constitution as follows:

One representative each from Allenstown, Alstead, Alton, Amherst, Andover, Antrim, Ashland, Auburn, Barnstead, Barrington, Bartlett, Bedford, Belmont, Bethlehem, Boscawen, Bow, Brentwood, Bristol, Campton, Canaan, Candia, Charlestown, Chester, Chesterfield, Chichester, Colebrook, Concord

ward 2, Concord ward 3, Concord ward 8, Cornish, Dover ward 5, Enfield, Epping, Epsom, Fitzwilliam, Franklin ward 1, Gilford, Gilmanton, Greenville, Hampstead, Henniker, Hillsborough, Hinsdale, Hopkinton, Holderness, Hollis, Kingston, Laconia ward 3, Lincoln, Lisbon, Londonderry, Loudon, Lyme, Marlborough, Merrimack, Milan, Milton, Moultonborough, New Boston, New Ipswich, New London, Newton, Northfield, North Hampton, Northwood, Ossipee, Pelham, Plainfield, Plaistow, Portsmouth ward 4, Portsmouth ward 5, Raymond, Rochester ward 1, Rochester ward 3, Rochester ward 5, Rollinsford, Rumney, Rye, Sanbornton, Seabrook, Somersworth ward 1, Somersworth ward 2, Somersworth ward 3, Somersworth ward 4, Somersworth ward 5, Stewartstown, Strafford, Stratford, Stratham, Sunapee, Tamworth, Tilton, Troy, Wakefield, Warner, Weare, Westmoreland, Whitefield, Wilton, Windham, Woodstock.

Two representatives each from Berlin ward 2, Berlin ward 3, Concord ward 1, Concord ward 5, Concord ward 9, Dover ward 2, Dover ward 3, Farmington, Franklin ward 2, Franklin ward 3, Gorham, Hampton, Haverhill, Hooksett, Jaffrey, Keene ward 2, Keene ward 3, Keene ward 4, Keene ward 5, Laconia ward 1, Laconia ward 2, Laconia ward 4, Laconia ward 5, Laconia ward 6, Lancaster, Manchester ward 9, Meredith, Nashua ward 2, Nashua ward 3, Nashua ward 4, Nashua ward 5, Nashua ward 6, Nashua ward 9, Newmarket, Northumberland, Pembroke, Peterborough, Pittsfield, Plymouth, Rochester ward 2, Rochester ward 4, Rochester ward 6, Swanze, Walpole, Winchester, Wolfeboro.

Three representatives each from Berlin ward 1, Berlin ward 4, Claremont ward 1, Claremont ward 2, Claremont ward 3, Concord ward 4, Conway, Dover ward 1, Dover ward 4, Durham, Hudson, Keene ward 1, Littleton, Manchester ward 4, Manchester ward 11, Manchester ward 14, Milford, Nashua ward 7, Portsmouth ward 2, Portsmouth ward 3, Salem.

Four representatives each from Concord ward 6, Concord ward 7, Derry, Exeter, Goffstown, Hanover, Manchester ward 1, Manchester ward 3, Manchester ward 7, Manchester ward 10, Manchester ward 12, Nashua ward 1, Newport.

Five representatives each from Manchester ward 2, Manchester ward 5, Manchester ward 8, Manchester ward 13, Nashua ward 8, Portsmouth ward 1.

Six representatives each from Lebanon, Manchester ward 6.

**4. Part Time.** The following named towns, according to the census of 1950, having less than the number of inhabitants necessary to entitle such towns to one representative and having a right under the constitution to elect a representative such proportional part of the time as the number of its inhabitants shall bear to the requisite number established for one representative; and such other towns having a right under the constitution to elect a representative at least once in every ten years, may elect one representative in each of the years set opposite their names in the following list:

Bath	1952	1954	1958	1960
Bennington	1952	1954	1958	1960
Bradford	1952	1956	1958	1960
Brookline	1952	1954	1958	1960
Canterbury	1952	1954	1956	1960
Deerfield	1954	1956	1958	1960
Dublin	1952	1954	1958	1960
Fremont	1952	1954	1958	1960
Greenland	1952	1954	1958	1960
Hampton Falls	1952	1954	1956	1958
Hancock	1952	1956	1958	1960
Jefferson	1952	1954	1958	1960
New Castle	1952	1954	1958	1960
New Hampton	1952	1954	1958	1960
Orford	1952	1954	1958	1960
Pittsburg	1952	1954	1958	1960
Rindge	1952	1954	1958	1960
Sandwich	1952	1954	1958	1960
Tuftonborough	1952	1954	1958	1960
Unity	1952	1954	1958	1960
Atkinson	1952	1956	1960	
Center Harbor	1952	1956	1960	
Columbia	1952	1958	1960	
Dalton	1952	1958	1960	
Danbury	1952	1956	1960	
Danville	1954	1956	1960	
Dunbarton	1952	1956	1960	
East Kingston	1954	1956	1960	
Franconia	1952	1956	1960	

Gilsum	1952	1958	1960
Grafton	1952	1956	1960
Harrisville	1952	1956	1960
Kensington	1952	1956	1958
Lee	1954	1958	1960
Lyndeborough	1952	1956	1960
Madbury	1952	1954	1960
Madison	1954	1958	1960
New Durham	1952	1956	1958
Newfields	1952	1956	1958
Newington	1952	1956	1960
Nottingham	1952	1956	1960
Piermont	1952	1958	1960
Sutton	1952	1956	1960
Thornton	1952	1958	1960
Warren	1952	1956	1960
Acworth	1954	1960	
Alexandria	1954	1958	
Carroll	1954	1960	
Croydon	1956	1960	
Deering	1954	1958	
Effingham	1956	1960	
Fracestown	1954	1958	
Freedom	1954	1958	
Goshen	1954	1960	
Grantham	1954	1956	
Greenfield	1952	1956	
Hill	1954	1956	
Jackson	1952	1958	
Landaff	1954	1958	
Langdon	1952	1958	
Lempster	1952	1958	
Litchfield	1952	1958	
Marlow	1954	1958	
Monroe	1954	1958	
Mont Vernon	1954	1960	
Newbury	1954	1958	
Salisbury	1954	1958	
Sandown	1954	1958	
South Hampton	1954	1958	
Springfield	1952	1958	

Stark	1954	1958
Surry	1954	1960
Temple	1954	1960
Webster	1954	1958
Wentworth	1954	1958
Wilmot	1954	1958
Albany	1956	
Benton	1956	
Bridgewater	1956	
Brookfield	1956	
Chatham	1956	
Clarksville	1956	
Dorchester	1956	
Dummer	1956	
Easton	1952	
Eaton	1952	
Ellsworth	1960	
Errol	1954	
Groton	1956	
Hart's Location	1952	
Hebron	1956	
Lyman	1958	
Mason	1956	
Middleton	1956	
Millsfield	1954	
Nelson	1956	
Orange	1954	
Randolph	1956	
Richmond	1956	
Roxbury	1956	
Sharon	1956	
Shelburne	1956	
Stoddard	1956	
Sullivan	1956	
Washington	1956	
Waterville	1952	
Wentworth's Location	1956	
Windsor	1956	

**2. Dissolution of Towns.** The town of Livermore is hereby dissolved as a body corporate and politic. The governor and council are authorized and directed to take appropriate action



to properly preserve the town records of the town of Livermore, to make such disposition of town property as is proper, and to take such further action as may be necessary to complete the dissolution of the town of Livermore.

**3. Basis for Apportionment.** The basis for the apportionment of representatives as provided in section 1 is that of one representative from any town or ward having seven hundred and twenty-nine inhabitants.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]

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## CHAPTER 248.

### AN ACT RELATING TO PUBLIC CONSTRUCTION AND CONTRACTS FOR STATE OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Public Works.** Amend section 2, chapter 214 of the Revised Laws by striking out the words: "Prior to awarding a contract for the construction of public works, said public official or public body shall submit to the commissioner a list of the jobs upon which mechanics, teamsters, chauffeurs, and laborers are to be employed, and shall request the commissioner to determine the rate of wages to be paid on each job. The commissioner, subject to the provisions of the preceding section, shall proceed forthwith to determine the same, and shall furnish said official or public body with a schedule of such rate or rates of wages as soon as said determination shall have been made, and inserting in place thereof the following: At least ten days before asking for bids the authorized department or agent prescribing specifications shall request the labor commissioner to ascertain the prevailing wage rate, as provided in section 1. The labor commissioner shall immediately determine the prevailing wage rate in said city or town, and shall so notify any organization of employees or employers who shall have previously requested that any such prevailing wage rate so determined shall be furnished them. The labor commissioner shall also immediately furnish the prevailing

wage rate so determined to the mayor, manager, or chairman of selectmen, in the city or town, where such public works is to be constructed, so that such section as amended shall read:

**2. Determination of Wages, Enforcement, and Penalties.** The commissioner shall prepare, for the use of such public officials or public bodies whose duty it shall be to cause public works to be constructed, a list of the several jobs usually performed on various types of public works upon which mechanics, teamsters, chauffeurs, and laborers are employed. The commissioner shall classify said jobs, and he may revise such classification from time to time, as he may deem advisable. At least ten days before asking for bids the authorized department or agent prescribing specifications shall request the labor commissioner to ascertain the prevailing wage rate, as provided in section 1. The labor commissioner shall immediately determine the prevailing wage rate in said city or town, and shall so notify any organization of employees or employers who shall have previously requested that any such prevailing wage rate so determined shall be furnished them. The labor commissioner shall also immediately furnish the prevailing wage rate so determined to the mayor, manager, or chairman of selectmen, in the city or town, where such public works is to be constructed. In advertising or calling for bids for said works, the awarding official or public body shall incorporate said schedule in the advertisement or call for bids by an appropriate reference thereto, and shall furnish a copy of said schedule, without cost, to any person requesting the same. Said schedule shall be made a part of the contract for said works and shall continue to be the minimum rate or rates of wages for said employees during the life of the contract. Any person engaged in the construction of said works shall cause a legible copy of said schedule to be kept posted in a conspicuous place at the site of said works during the life of the contract. Whoever shall pay less than said rate or rates of wages to an employee on said works shall forfeit to the commissioner a sum equal to twice the difference between said rate or rates and the wages actually paid to said employee, said sum to be recovered by the commissioner in an action of contract for the benefit of the employee; and whoever, for himself, or as representative, agent or officer of another, shall withhold, take, or receive for his own use or the use of any other person, as a rebate, re-

fund, or gratuity, or in any other guise, any part or portion of the wages paid to any employee for work done or services rendered on said public works, shall be punished for each offense by a fine of not less than one hundred nor more than three hundred dollars, or by imprisonment for not more than six months, or both.

**2. Board of Appeal.** Amend section 3 of chapter 214 of the Revised Laws by striking out said section and inserting in place thereof the following: **3. Appeal.** Within fifteen days after such wage rates shall be determined in accordance with the provisions of the preceding sections 1 and 2, such rates may be appealed by an association of employees or employers, any two citizens of the state, or any public awarding agency, such appeal to be heard before a board of three, constituted as follows: The governor and council shall appoint two members for a term of two years each. Employers and organized employees in the construction industry shall each be represented on said board. The third member of said board shall be appointed by the first two members, and in case the two cannot agree on the third member within thirty days after their own appointment, said third member shall be appointed by the governor and council. Said appeal board shall convene within three days after receiving any appeal hereunder, Saturday, Sunday and holidays excepted, shall hold a public hearing, and furnish their decision to the appellant within forty-eight hours after the adjournment of the meeting.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved August 31, 1951.]

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## CHAPTER 249.

### AN ACT RELATIVE TO THE SALE OF LIQUORS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Liquor.** Amend section 49 of chapter 170 of the Revised Laws by striking out the sentence in the eleventh line "The primary responsibility for the enforcement of all liquor and beverage laws shall be upon the commission" and insert-

ing in place thereof the following sentence, The commission shall have the primary responsibility for the enforcement of all liquor and beverage laws upon premises where liquor and beverages are lawfully sold, stored, distributed, or manufactured, so that said section as amended shall read as follows:

**49. Prosecutions.** The commission shall, for the proper prosecution of any violation of this chapter, appoint agents whose duty it shall be and who shall have the power to prosecute any person guilty of any violation of said chapter. The commission shall fix the compensation of such agents, subject to the approval of the governor and council. Said agents shall have all the powers of the sheriff in any county, with reference to the laws concerning liquor and beverage, and the enforcement of such laws, either in co-operation with, or independently of, the officers of any county or town. Said agents shall give bond, in the form prescribed for sheriffs, for the faithful performance of duty, in such sum and with such sureties as the governor and council shall prescribe. The commission shall have the primary responsibility for the enforcement of all liquor and beverage laws upon premises where liquor and beverages are lawfully sold, stored, distributed or manufactured. Any person violating the provisions of this chapter may be prosecuted by the commission or any of its agents as herein provided, or by county or city solicitors, or by sheriffs or their deputies, or by police officials of towns.

**2. Commission.** Amend section 32 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: **32. Suspension or Revocation.** It shall be the duty of the commission to cause frequent inspections to be made of all the premises with respect to which any license or permit shall have been issued under the provisions of this chapter. If any licensee or permittee violates any of the provisions of this chapter or any of the rules and regulations of the commission promulgated pursuant thereto or fails to superintend in person or through a manager approved by the commission the business for which the license or permit was issued or allows the premises with respect to which the license or permit was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor or beverages any person who has been convicted of a felony or otherwise fails to carry

out in good faith the purposes hereof, the license or permit of such licensee or permittee may be suspended by the commission without hearing, and may be revoked after notice and hearing. The commission may investigate the prices charged for liquor and beverages by licensees and permittees. The commission may revoke or suspend the license of any licensee or the permit of any permittee if it finds after notice and hearing that the profit made from the sale of liquor or beverages by such licensee or permittee is unreasonable and excessive.

**3. Violations.** Amend section 48 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: **48. Penalties.** Whoever violates any of the provisions of this chapter or any of the rules and regulations promulgated pursuant thereto shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both, in the discretion of the court. In case of appeal by a licensee or permittee the license or permit of such licensee or permittee may be suspended at the discretion of the commission during the pendency of such appeal.

**4. Repeal.** Sections 83 and 86 of chapter 170 of the Revised Laws relative to inspections and penalties are hereby repealed.

**5. Takes Effect.** This act shall take effect upon its passage. [Approved August 31, 1951.]

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## CHAPTER 250.

### AN ACT RELATIVE TO A UNIFORM COLLECTIONS DIVISION FOR STATE INSTITUTIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Division of Investigation of Accounts.** Amend chapter 23-A of the Revised Laws as inserted by part 6 of chapter 5 of the Laws of 1950, by inserting after section 25 the following new subdivision:

#### **Division of Investigation of Accounts**

**26. Division of Investigation of Accounts.** There shall be a division of investigation of accounts in the department of

administration and control under the executive direction of the comptroller.

**27. Duties.** Subject to the direction and supervision of the comptroller the business supervisor shall (1) review and investigate all records of the state hospital, Laconia state school and the state sanatorium relative to expenses incurred by patients at such institutions, or expenses incurred by patients receiving care, treatment or maintenance at the direction of the tuberculosis commission, and make recommendations to the respective boards of trustees or commissions of such institutions, or to the tuberculosis commission, as to the rates to be charged for the care, treatment and maintenance of such patients or inmates, (2) investigate the ability of patients and inmates of such institutions and of the patients receiving care, treatment or maintenance either in public or private institutions or otherwise at the direction of the tuberculosis commission and those legally chargeable for their support and maintenance to pay for such care, treatment and maintenance and recommend to the respective boards of trustees or commissions of such institutions or to the tuberculosis commission the rate to be charged, (3) submit monthly to the boards of trustees of such institutions and the tuberculosis commission any recommended changes in the schedule of rates based upon the ability of the patient or inmate or those legally chargeable for their support to pay, (4) submit monthly to the boards of trustees or commissions of such institutions and the tuberculosis commission a report setting forth any facts or information which bear upon or affect the domicile of any patient or inmate of such institution which the business supervisor has found in conjunction with investigation under this subdivision, and the business supervisor shall recommend such action as he deems advisable.

**28. Persons Chargeable.** Expenses incurred in such institutions or at the direction of the tuberculosis commission in any public or private institution or elsewhere by anyone having a father, mother, son, daughter, husband or wife whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action in the name of the state, from either a father, mother, son, daughter, husband or wife, who are declared jointly and severally liable for such expenses, unless otherwise ordered by the court.

**29. Support Order.** Upon a petition for support in the name of the state, the superior court may enter an order requiring persons legally chargeable for the support of a patient or inmate to contribute to the support of such patient or inmate. Anyone against whom an order is entered requiring a person to contribute to the support of such relative who fails to comply therewith shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

**30. Expenses.** The state is entitled to recover the expense of care, treatment and maintenance of any patient or inmate at such institutions or at a public or private institution or otherwise at the direction of the tuberculosis commission from the patient or inmate, if of sufficient ability to pay or his estate, or from those persons legally chargeable with his support or their estate.

**31. Regular Rate.** Each board of trustees or the commission of such institution shall determine a uniform monthly rate to cover the expenses for the care, treatment and maintenance of patients or inmates of such institutions. The tuberculosis commission shall establish a monthly rate to be charged patients receiving care, treatment and maintenance at its direction.

**32. Partial Charges.** Each board of trustees or commission of such institutions or the tuberculosis commission may charge less than the uniform monthly rate when it finds that a patient or any relative chargeable therewith is able to bear only a portion of the expense incident to his care, treatment and maintenance at such institution or care, treatment and maintenance furnished at the direction of the tuberculosis commission. In establishing such charge the boards of trustees or commission of such institutions and the tuberculosis commission shall consider the report, investigation and recommended charge of the comptroller. The recommended rate shall be charged by the comptroller if the boards of trustees or commission of such institutions or the tuberculosis commission shall not establish a different rate at the meeting following the one in which the recommendation was presented. The comptroller shall make further recommendations as provided in this section where conditions affecting the ability to pay of

persons legally chargeable for the support of the patient or inmate have changed.

**33. Support by the State.** Any patient or inmate of such institutions or patient receiving care, treatment or maintenance at the direction of the tuberculosis commission who has no means of support and no persons chargeable for his support shall be supported by the state.

**34. Special Services.** Each board of trustees or commission of such institutions or the tuberculosis commission shall determine the rates for special services rendered to patients or inmates of such institutions or at the direction of the tuberculosis commission.

**35. Reports.** The superintendents of such institutions and the director of tuberculosis control shall forward forthwith to the comptroller any change in population at such institutions, any change affecting the rates charged patients or inmates, and any other changes affecting expenses incurred by a patient or inmate.

**2. State Hospital.** Sections 15, 22, 23 and 25 of chapter 17 of the Revised Laws relative to support of persons committed to the state hospital are hereby repealed.

**3. State Sanatorium.** Sections 4, 5 and 6 of chapter 153 of the Revised Laws, as amended, relative to support of a patient at the state sanatorium are hereby repealed.

**4. Laconia State School.** Section 6 of chapter 129 of the Revised Laws relative to support of inmates is hereby repealed.

**5. Transfer of Personnel and Appropriations.** All personnel of the state hospital, Laconia state school, state sanatorium, and tuberculosis commission, now engaged full time in the investigation of accounts and the collection of moneys due said institutions or commission, are hereby transferred to the division of investigation of accounts in the department of administration and control, and all unexpended funds and appropriations for compensation and expenses of such employees are hereby transferred and allocated to the department of administration and control for the purpose of administering and carrying out the provisions of this chapter.

**6. Limitation.** The department of administration and control shall not be entitled to any additional assistance to



perform the duties imposed by the provisions hereof beyond the number presently authorized but the duties hereunder shall be performed by the personnel of the department of administration and control and by the same number of financial agents as authorized at the date of the passage of this act. Said personnel of the department and financial agents shall not be entitled to additional salary increases on account of additional duties imposed hereunder.

**7. Takes Effect.** This act shall take effect on the first day of the month next following the date of the passage of this act.

[Approved August 31, 1951.]

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## CHAPTER 251.

### AN ACT RELATIVE TO THE COMPUTATION OF MILEAGE ALLOWANCES FOR LEGISLATIVE MEMBERS FROM CERTAIN TOWNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. General Court.** Amend paragraph 1 of section 1 of chapter 301 of the Laws of 1949 by striking out said paragraph and inserting in place thereof the following: **1. Standard Mileage Table.** Effective beginning with the regular 1951 session of the general court, except as otherwise provided, the following mileage table shall be mileage allowed members of the general court from the various towns or city wards as set forth in said table. The distances are for one-way trips and shall be multiplied by two to obtain round-trip distances.

**2. Changes in Mileage.** The following changes shall be made in chapter 301 of the Laws of 1949 with relation to mileage allowances:

I.	Rockingham county, New Castle ...	51 miles
	Rye .....	56 miles
II.	Strafford county, Milton .....	53 miles
III.	Merrimack county, Hooksett .....	15 miles
IV.	Cheshire county, Keene, Ward 2 ....	53 miles
	Ward 4 ....	54 miles
	Ward 5 ....	54 miles
V.	Coos county, Columbia .....	153 miles

3. **Allowances.** Amend section 15 of chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943 and section 1, chapter 117, Laws of 1949, by striking out the word "residence" in the second line and inserting in place thereof the words, town or city, so that said section as amended shall read as following: **15. Travel.** A member of the general court shall be allowed for mileage per mile of the round trip to and from his town or city ward each day of attendance at the following rates, for the first forty-five miles thereof ten cents per mile, for the next twenty-five miles eight cents per mile, for the next twenty-five miles six cents per mile, and for all miles in excess of ninety-five miles five cents per mile. In case said round trip is less than one mile, the mileage allowance shall be computed on the basis of one mile. Each member of the house of representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the house may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

4. **Committee on Mileage.** Amend section 16, chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943 and section 2, chapter 117, Laws of 1949 by striking out said section and inserting in place thereof the following: **16. Computation of Distance.** The distance traveled shall be computed by the nearest improved highway as set forth in chapter 301 of the Laws of 1949, or any subsequent table that may be adopted by the legislature. The committee on mileage shall be the arbiters to all disputes and claims involving payment of mileage to members.

5. **Change in Computation.** Amend section 17, chapter 9, Revised Laws, as amended by chapter 214, Laws of 1943, and by section 3, chapter 117, Laws of 1949, by striking out said section and inserting in place thereof the following: **17. Employees.** Officers and employees of the senate and house of representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of fifty miles for one way of travel.

6. **Takes Effect.** This act shall take effect as of January 3, 1951, except paragraph IV of section 2 and section 5 of this act shall be effective January 2, 1952.

[Approved August 31, 1951.]

## CHAPTER 252.

AN ACT RELATIVE TO BOND FOR AND DUTIES OF THE STATE  
TREASURER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Treasurer.** Amend section 2 of chapter 22 of the Revised Laws as amended by section 1 of chapter 107 of the Laws of 1949 by striking out said section and inserting in place thereof the following: **2. Bond.** Before entering upon the duties of his office he shall give bond in the sum of two hundred thousand dollars, with sufficient sureties, to be approved by the governor and council, conditioned for the faithful discharge of the duties of his office, including his duties as custodian of trust funds of state institutions and of the several funds of the state employees' retirement, teachers' retirement, policemen's retirement, and firemen's retirement systems. Said bond shall be deposited and safely kept in the office of the secretary. Upon the failure of the legislature to elect a state treasurer on the first Wednesday of the biennium the state treasurer previously elected shall give a new bond in the sum of two hundred thousand dollars with sureties, to be approved by the governor and council, which bond shall be conditioned upon the satisfactory discharge of the duties of said office until a successor is elected, and shall be deposited and safely kept in the office of the secretary of state.

**2. Working Capital.** Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943, by striking out said section and inserting in place thereof the following: **5-a. Purposes.** The governor is hereby authorized to draw his warrant with the advice and consent of the council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred

for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state service, as determined by the director of personnel, on pay rolls certified by the heads of the said departments, institutions or agencies or their duly authorized deputies and by the director of personnel; any payment of direct aid to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments as determined and certified as above provided. No other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claims in excess of appropriations or for purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 9 of chapter 22 of the Revised Laws.

**3. Revolving Funds.** The governor is hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the general fund of the treasury for sums to be delivered into the custody of the responsible heads of departments and institutions for their use as petty cash revolving funds within their departments or institutions. The authorized balances and number of revolving funds shall be kept at minimum levels consistent with efficiency, and shall be carried as a charge against the departments or institution concerned. No revolving fund shall be authorized by the governor and council except upon written application establishing

the necessity for such fund consistent with the efficient operation of the applicant department. Any revolving fund authorized hereunder for the highway department or for the fish and game department shall be established from the highway fund or the fish and game fund, respectively. The heads of such departments and institutions shall be personally responsible for such moneys while in revolving funds, and shall be authorized to use the same as a petty cash fund only for such departmental purposes as are authorized by law. No payment from a revolving fund shall bind the state unless and until the specific payment has been pre-audited by the director of accounts and warranted by the governor with the advice and consent of the council. After such audit and warrant, the treasurer shall be authorized to issue out public funds to restore the authorized balance of the revolving fund concerned. Department heads responsible for revolving funds shall be bonded in sums sufficient to protect the state against loss of any revolving funds the authorized balances of which exceed one thousand dollars. All existing revolving funds shall lapse upon the date of the first meeting of the governor and council in 1953, unless renewed at that meeting and revolving funds thereafter authorized hereunder shall similarly lapse on the date of the first meeting of the governor and council in each biennium thereafter, unless then renewed and unless sooner reduced or lapsed by resolution of the governor and council. Upon such reduction or lapse, the responsible head of the department or institution concerned shall pay the revolving fund moneys into the treasury and the treasurer shall credit the same against the amount standing as a charge to the department or institution concerned.

**4. Takes Effect.** This act shall take effect as of October 1, 1951.

[Approved August 31, 1951.]

**CHAPTER 253.****AN ACT RELATING TO THE GENERAL FUNDS OF THE STATE.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Transfer of Funds to General Funds.** A sum not exceeding six million dallars (\$6,000,000) for the fiscal year ending June 30, 1952, and a sum not exceeding six million nine hundred sixty-eight thousand dollars (\$6,968,000) for the fiscal year ending June 30, 1953, are hereby appropriated for the use of the state for general purposes and such sums shall be a charge upon the special fund constituted by chapter 126, Laws of 1931, as amended. The state treasurer, at such times and in such amounts as the governor and council may determine, within the limits hereinbefore provided, may transfer such sums from said special fund to the general funds of the state.

**2. Takes Effect.** This act shall take effect July 1, 1951.

[Approved August 31, 1951.]

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**CHAPTER 254.**

**AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS  
AND LONG TERM REPAIRS FOR THE STATE OF  
NEW HAMPSHIRE.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation.** The sum of nine hundred seventy-six thousand four hundred fifty-one dollars is hereby appropriated for the purposes and in the amounts specified in this section, which purposes shall include such related improvements, facilities, equipment and furnishings as are necessary to complete the same.

**I. For the state hospital:**

Extension of sprinkler system	\$92,400
New bakery	110,000
Facilities for sexual psychopaths	20,000
Alterations to power plant	75,000

	Slate roof—Thayer building	22,000	
	Remodel Thayer building	30,282	
	X-ray unit	12,000	
	Farm improvements	19,900	
	Maintenance equipment	5,100	
	Beds for infirmary	6,996	
	Nursing equipment	2,870	
	Automobile—new and replacement	4,000	
	Laundry	22,000	
	Accoustic ceiling Brown building	4,410	
		<hr/>	\$426,958
II.	For state prison:		
	Rewire farm building	\$6,000	
	Milk room addition	1,500	
	High voltage service entrance	6,000	
	Remodel guard room	20,000	
	Kitchen and dining room equipment	11,500	
	Farm improvements	7,650	
	Machine shop equipment	10,000	
	Rewire tenements	5,500	
	Oil burner and boiler house	9,500	
		<hr/>	77,650
III.	(a) For Keene teachers college:		
	Oil burner and heating plant	\$25,000	
		<hr/>	25,000
	(b) For Plymouth teachers college:		
	Summer hot water service		
	Hall dormitory from		
	Mary Lyons	\$1,500	
	Water treatment	2,500	
		<hr/>	4,000
IV.	For sanatorium:		
	Transformer station	\$9,500	
	Rebuild substation	7,000	
	Sand filter and chlorinator	10,000	
	Pasteurization	10,000	
	Fluoroscropy equipment	1,858	
		<hr/>	38,358

## V. For Laconia state school:

Physician's cottage addition	\$4,000	
Male ward building	270,000	
Addition to laundry	16,000	
Purchase Pitman land	5,000	
Addition to piggery	3,000	
Refrigeration—Sanborn and Quimby buildings	13,485	
Heating farm houses	1,800	
Murphy building—fire stair exit	5,000	
Coal bunker	2,200	
Ventilation vegetable storage	1,500	
Ventilation boiler house	2,000	
Water main and fire protection	40,000	
Replace garage destroyed by fire	35,000	
	<hr/>	398,985

## VI. For state police:

Radio service garage	5,500
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Total	<hr/> \$976,451
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**2. Additional Appropriation.** The sum of thirty-two thousand dollars is hereby appropriated for the fish and game department as follows:

## For fish and game:

Brentwood game farm	\$8,000	
Brentwood dwelling house addition	3,500	
Brentwood pheasant pens	1,500	
Dwelling—New Durham	15,000	
Flood control—Richmond	1,000	
Wells—Twin Mountain	1,500	
Wells—Colebrook	1,500	
	<hr/>	32,000

Total capital budget	<hr/> \$1,008,451
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**3. Expenditures.** The appropriations made for the purposes mentioned in section 1 and the sums available for those projects shall be expended by the trustees, commission, or department head of the institutions and departments referred to therein, provided that all contracts for projects and plans



and specifications therefor shall be awarded in accordance with the provisions of chapter 90-A of the Revised Laws as inserted by part 9 of chapter 5, Laws of 1950. The appropriation made and the sum made available for the project referred to in section 2 above shall be expended by the fish and game department provided that all contracts for projects and plans and specifications therefor shall be awarded in accordance with the provisions of chapter 90-A of the Revised Laws as inserted by part 9 of chapter 5, Laws of 1950.

**4. Federal Assistance.** The governor and council are hereby authorized to cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable to secure federal funds for the purposes hereof.

**5. Contracts.** All contracts entered into by the state for any of the projects hereinbefore mentioned shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in two successive weeks in a newspaper of general circulation in New Hampshire, provided that the state may reject any or all bids. If not more than one bid is received, the governor and council may negotiate a contract upon terms which it may deem most advantageous to the state.

**6. Use of Funds.** The sums as appropriated in each project of section 1 shall be used as allotted and funds not used shall lapse.

**7. Bonds and Notes Authorized.** To provide funds for the appropriation made by section 1 hereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of nine hundred seventy-six thousand four hundred fifty-one dollars and to provide funds for the appropriation made in section 2 hereof not exceeding the sum of thirty-two thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the

treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

**8. Payments.** The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126 of the Laws of 1931 as amended. The payment of principal and interest on bonds or notes issued for the purposes of section 2 shall be from income of the fish and game department.

**9. Proceeds from Sale.** The proceeds of the sale of said bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

**10. Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

**11. Short Term Notes.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of nine hundred seventy-six thousand four hundred fifty-one dollars (\$976,451) for the purposes of section 1 and the sum of thirty-two thousand dollars (\$32,000) for the purposes of section 2.

**12. Sale of Bonds or Notes.** All bonds or notes except short term loans issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, and (3) to the highest bidder provided, however, that the governor and council may reject

any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

**13. Glenclyff Sanatorium.** Any balance of the appropriation made in section 1 of chapter 322 of the Laws of 1949, relative to hospital building addition at the Glenclyff sanatorium, but not exceeding the sum of ten thousand dollars (\$10,000), may be expended by the trustees of said sanatorium, with the approval of the governor and council, for any other projects at said sanatorium.

**14. Takes Effect.** This act shall take effect upon its passage.

[Approved August 31, 1951.]

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## CHAPTER 255.

### AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING JUNE 30, 1952.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriations.** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the fiscal year ending June 30, 1952, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$10,680.00 for the office of legislative assistant to the appropriations and finance committees, as provided by section 2, chapter 296 of the Laws of 1947 \$250,000.00

(Salary of assistant \$6,400.00, deputy assistant  
\$3,630.00, current expenses, \$650.00).

Council of state governments 1,000.00

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Total for legislative branch \$251,000.00

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## For executive branch:

## Office of governor:

Salary of governor	\$10,000.00
Salary of secretary	4,100.00
Salary of administrative assistant	6,000.00
Other personal services	7,478.00
Current expenses	3,350.00
Travel	500.00
Equipment	275.00

Total	\$31,703.00
Contingent fund	7,500.00

Total governor's office	\$39,203.00
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Emergency fund	250,000.00
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## For governor's council:

Per diem (@ \$10.00 per diem)	\$5,000.00
Current expenses	300.00
Travel	3,000.00

Total for governor's council	8,300.00
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Total for executive branch	\$297,503.00
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## For judicial branch:

## For supreme court:

Salaries of justices	\$17,797.50
Salary of clerk of court	3,320.00
Salary of reporter	2,600.00
Other personal services	3,710.00
Current expenses	3,225.00
Travel	1,250.00
N. H. supreme court reports	*4,000.00

Total	\$65,902.50
Less estimated revenue	422.00

Net appropriation	\$65,480.50
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For superior court:		
Salaries of judges	\$57,000.00	
Other personal services	200.00	
Current expenses	3,300.00	
Travel	7,700.00	
	<hr/>	
Total		68,200.00
For judicial council		*900.00
For referees and masters:		
Salaries of referees	\$3,600.00	
Current expenses	50.00	
	<hr/>	
Total		3,650.00
For probate court:		
Salaries of judges	\$23,952.50	
Salaries of registers	23,670.00	
Salaries of deputies	11,075.00	
	<hr/>	
Total		58,697.50
		<hr/>
Total for judicial branch		\$196,928.00
		<hr/>

\* The funds in this appropriation shall not lapse, but shall be available for expenditure in the following fiscal year.

For adjutant general's department:		
Central administrative office:		
Salary of adjutant general	\$6,960.00	
Other personal services	15,780.00	
Current expenses	4,200.00	
Equipment	750.00	
	<hr/>	
Total		\$27,690.00
National guard:		
Personal services	\$16,880.00	
Current expenses	17,050.00	
Travel	1,500.00	
Equipment	200.00	
	<hr/>	
Total		35,630.00

## Armories:

Personal services	\$42,170.00
Current expenses	65,000.00
Travel	200.00
Equipment	1,000.00

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Total	108,370.00
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## National guard rifle and pistol range:

Personal services	\$2,330.00
Current expenses	2,625.00
Equipment	200.00

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Total	5,155.00
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Officers' uniform allowance	11,250.00
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## State military reservation, Concord:

Current expenses	\$15,000.00
Equipment	400.00

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Total	15,400.00
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## State military reservation, Concord:

## Photostatic:

Personal services	\$2,340.00
Current expenses	750.00
Equipment	200.00

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Total	3,290.00
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## State military reservation, Grenier:

## Air Force Base, Manchester:

Current expenses	\$3,100.00
Travel	400.00
Equipment	100.00

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Total	3,600.00
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## State military reservation,

## For Dearborn, Rye:

Personal services	\$2,420.00
Current expenses	6,150.00
Equipment	150.00

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Total	8,720.00
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Drill expenses—travel	1,000.00
War service recognition—current expenses	300.00
State guard	4,000.00
Total adjutant general's department	<u>\$224,545.00</u>
Less estimated revenue	19,810.00
Total net appropriation	<u><u>\$204,595.00</u></u>

## For administration and control:

## Division of budget and control:

Salary of comptroller	\$6,400.00
Salary of business supervisor	5,100.00
Salary of farm supervisor	4,600.00
Other personal services	6,180.00
Current expenses	2,000.00
Travel	1,200.00

## Other expenditures:

State House Annex Sinking Fund	11,000.00
Fireman's Relief	4,000.00
Atlantic Marine Fisheries	900.00
League of Arts and Crafts	8,000.00
State police assessment	15,862.00

Total	<u>\$65,242.00</u>
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## Division of accounts:

Salary of director	\$5,100.00
Other personal services	39,349.00
Current expenses	1,975.00
Travel	750.00
Equipment	3,500.00

Total	<u>50,674.00</u>
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## Travel division:

Personal services	\$5,570.00
Current expenses	150.00

Total	<u>5,720.00</u>
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## Division of purchase and property:

Salary of director	\$6,020.00
Other personal services	28,545.00

Current expenses	3,450.00	
Travel	400.00	
Equipment	300.00	
	<hr/>	
Total		38,715.00

## Division of buildings and grounds:

Personal services	\$109,615.00
Current expenses	60,636.00
Equipment	50.00

## Other expenditures:

Repairs, drinking fountain, water line, state house	150.00
Locks on annex court doors	150.00
Repairs, pylons, annex	5,850.00
Repairs, state house roof	200.00
Rewire state house	10,000.00

Total	<hr/>	186,651.00
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## Mailing division:

Personal services	\$7,720.00
Current expenses	560.00
Equipment	8.00

Total	<hr/>	8,288.00
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## Division of personnel:

## State funds:

Personal services	\$27,997.50
Current expenses	1,837.00
Travel	1,200.00
Equipment	385.00

Total	<hr/>	31,419.50
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## Federal funds:

Personal services	\$9,690.00
Current expenses	2,250.00
Travel	600.00

Total	<hr/>	\$12,540.00
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Less federal income	12,540.00	
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Net appropriation		0.00
		<hr/>
Total for administration and control		\$386,709.50
For department of agriculture:		
Office of commissioner:		
Salary of commissioner	\$5,400.00	
Other personal services	26,290.00	
Current expenses	2,910.00	
Travel	6,000.00	
Equipment	1,153.75	
Other expenditures:		
Feed, seed and fertilizer services	12,575.00	
	<hr/>	
Total		\$54,328.75
Division of markets and standards,		
Bureau of markets:		
Personal services	\$19,535.00	
Current expenses	11,200.00	
Travel	3,500.00	
Equipment	388.50	
Other expenditures:		
Cooperative grant to New England crop reporting service	800.00	
Radio transcription	25.00	
	<hr/>	
Total		35,448.50
Division of animal industry:		
Salary of state veterinarian	\$5,200.00	
Other personal services	23,900.00	
Current expenses	5,655.00	
Travel	4,000.00	
Equipment	618.75	
Other expenditures	30,510.00	
	<hr/>	
Total		69,883.75

Insect and plant disease suppression  
and control:

Personal services	\$17,065.00
Current expenses	1,110.00
Travel	3,000.00
Equipment	67.00

Total	<u>21,242.00</u>
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Milk control:

Personal services	\$11,160.00
Current expenses	1,150.00
Travel	2,000.00

Total	<u>\$14,310.00</u>
Less estimated revenue	14,310.00

Net appropriation	<u>0.00</u>
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Bureau of weights and measures:

Personal services	\$17,490.00
Current expenses	2,450.00
Travel	5,700.00
Equipment	1,434.50

Total	<u>\$27,074.50</u>
Less estimated revenue	20,000.00

Net appropriation	<u>7,074.50</u>
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Economic poisons law:

Current expenses	\$100.00
Travel	500.00
Other expenditures	2,400.00

Total	<u>\$3,000.00</u>
Less estimated revenue	3,000.00

Net appropriation	<u>0.00</u>
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Board of veterinary examiners:

Current expenses	\$55.00
Travel	35.00
Other expenditures	110.00

Total	<u>200.00</u>
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## Farm products inspection fund:

Current expenses	\$300.00
Travel	1,535.00

## Other expenditures:

Temporary services	3,165.00
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Total	\$5,000.00
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**Less estimated revenue	5,000.00
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Net appropriation	0.00
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Licensing of live poultry dealers	\$1,170.00
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Less revenue	1,170.00
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Net appropriation	0.00
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Licensing of livestock dealers	\$15.00
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Less revenue	15.00
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Net appropriation	0.00
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## Grants: \*

State soil conservation committee	500.00
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Eastern States Exhibit	2,000.00
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Total for department of agriculture	<u>\$190,677.50</u>
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\* The provisions of section 8, chapter 231 of the Revised Laws are suspended for the fiscal year ending June 30, 1952.

\*\* In this appropriation any revenue in excess of the estimate shall be available for said purposes as the governor and council may approve.  
For attorney general:

## Office of attorney general:

Salary of attorney general	\$8,600.00
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Salary of deputy attorney general	7,100.00
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Salaries of 3 assistant attorneys general	18,300.00
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Other personal services	19,265.00
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Current expenses	2,050.00
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Travel	2,000.00
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Equipment	975.00
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Total	<u>\$58,290.00</u>
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Commission on uniform state laws:	400.00
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Division of charitable trusts:

Salary of director	\$3,560.00
Salary of registrar	3,270.00
Other personal services	440.00
Current expenses	250.00
Travel	200.00
Equipment	300.00

Total		8,020.00
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Total for attorney general		\$66,710.00
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Less estimated revenue		3,000.00
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Net appropriation		\$63,710.00
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For forestry division (forestry and recreation) :

District fire supervision:

Personal services	\$53,680.00
Current expenses	20,680.00
Travel	3,500.00
Equipment	8,899.00

Total		\$86,759.00
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Less estimated revenue and balances		69,769.00
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Net appropriation		\$16,990.00
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Lookout stations:

Personal services	29,925.00
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Warden training conferences:

Current expenses	\$2,000.00
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Other expenditures:

State's share of town bills	3,000.00
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Total		5,000.00
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Prevention of fires:

Personal services	\$5,290.00
Current expenses	2,920.00
Travel	300.00

Equipment	7,500.00	
Other expenditures	1,000.00	
	<hr/>	
Total		17,010.00
Forest fire bills to towns		2,000.00
White pine blister rust:		
Personal services	\$11,000.00	
Current expenses	1,120.00	
	<hr/>	
Total		12,120.00
Northeastern forest fire compact:		
Current expenses	\$592.00	
Travel	100.00	
	<hr/>	
Total		692.00
Administration:		
Salary of state forester	\$5,100.00	
Other personal services	21,725.00	
Current expenses	4,675.00	
Travel	1,200.00	
Equipment	250.00	
	<hr/>	
Total		32,950.00
Nursery:		
Personal services	\$15,042.40	
Current expenses	7,340.00	
Equipment	810.00	
Other expenditures:		
Additional nursery land	1,500.00	
	<hr/>	
Total	\$24,692.40	
Less estimated revenue and balances	8,704.00	
	<hr/>	
Net appropriation		15,988.40
Reforestation:		
Personal services	\$2,768.00	
Travel	900.00	
	<hr/>	
Total		3,668.00

## Cooperative forest management:

Personal services	\$10,436.00
Current expenses	664.00
Travel	3,200.00
Equipment	200.00

Total	<u>14,500.00</u>
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## Caroline A. Fox Research Fund:

Personal services	\$7,030.00
Current expenses	3,840.00
Travel	500.00
Equipment	60.00

Total	<u>\$11,430.00</u>
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Less estimated revenue and balance	<u>11,430.00</u>
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Net appropriation	<u>0.00</u>
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## Forest improvement fund:

Personal services	\$23,028.00
Current expenses	1,010.00
Travel	2,500.00
Equipment	4,550.00
Other expenditures	1,000.00

Total	<u>32,088.00</u>
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Total for forestry	<u>\$150,843.40</u>
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Less estimated revenue	<u>1,006.80</u>
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Net appropriation	<u><u>\$149,836.60</u></u>
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## For department of health:

## Administration: state

Salary of state health officer	\$7,460.00
Other personal services	19,180.00
Current expenses	15,205.24
Travel	650.00
Equipment	250.00

Total	<u>\$42,745.24</u>
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## Administration: federal

## Personal services:

General health \$6,270.00

Maternal and child  
health 6,630.00

Total		\$12,900.00
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## Current expenses:

General health \$1,000.00

Maternal and child  
health 1,800.00Crippled children's  
services 1,000.00

Total		3,800.00
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## Travel:

General health \$1,450.00

Maternal and child  
health 2,430.00

Total		3,880.00
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## Total for administration:

federal \$20,580.00

\*Less estimated revenue 20,580.00

Net appropriation		0.00
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## Finance: state

Personal services \$10,470.00

Current expenses 615.00

Equipment 50.00

Total		11,135.00
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## Finance: federal

## Personal services:

General health \$2,660.00

Maternal and child  
health 2,000.00

Total		\$4,660.00
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## Current expenses:

General health \$540.00

Maternal and child  
health 1,550.00

Total	2,090.00
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## Travel:

General health \$150.00

Maternal and child  
health 150.00

Total	300.00
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Total for finance: federal \$7,050.00

\*Less estimated revenue 7,050.00

Net appropriation	0.00
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## Hospital services: state

Personal services \$12,880.00

Consultant services 2,000.00

Current expenses 350.00

Travel 800.00

Total	\$16,030.00
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Less revenue	1,000.00
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Net appropriation	15,030.00
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## Hospital services: federal

## Personal services:

Maternal and child  
health \$2,000.00

## Current expenses:

Hospital survey and planning 100.00

## Travel:

Hospital survey and  
planning \$844.82Maternal and child  
health 55.18

Total	900.00
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Total for hospital services:		
federal	\$3,000.00	
*Less estimated revenue	3,000.00	
	<hr/>	
Net appropriation		0.00
Vital statistics: state		
Personal services	\$18,330.00	
Current expenses	700.00	
	<hr/>	
Total		19,030.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

#### Vital statistics: federal

##### Personal services:

General health	\$500.00	
Heart disease control	500.00	
Maternal and child health	5,340.00	
	<hr/>	
Total		\$6,340.00

##### Current expenses:

General health	\$1,500.00	
Heart disease control	1,250.00	
Maternal and child health	3,500.00	
	<hr/>	
Total		6,250.00

##### Travel:

General health	\$200.00	
Maternal and child health	950.00	
	<hr/>	
Total		1,150.00

##### Total for vital statistics:

federal	\$13,740.00	
*Less estimated revenue	13,740.00	
	<hr/>	
Net appropriation		0.00

## Public health nursing: state

Personal services	\$41,280.00
Current expenses	1,225.00
Travel	2,521.75

Total	<u>45,026.75</u>
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## Public health nursing: federal

## Personal services:

General health	\$7,020.00
Veneral disease control	4,100.00
Maternal and child health	23,700.00

Total	<u>\$34,820.00</u>
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## Current expenses:

Venereal disease control	\$250.00
Maternal and child health	1,500.00
Crippled children's services	1,000.00

Total	<u>2,750.00</u>
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## Travel:

General health	\$3,446.25
Venereal disease control	250.00
Maternal and child health	4,900.00
Crippled children's services	1,550.00

Total	<u>10,146.25</u>
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## Total for public health nursing:

federal	\$47,716.25
*Less estimated revenue	47,716.25

Net appropriation	<u>0.00</u>
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## Communicable disease control: state

Personal services	\$26,970.00
Current expenses	3,300.00

Travel	1,500.00	
Subsistence and support of persons	78,500.00	
Total		110,270.00
Communicable disease control: federal		
Personal services:		
Venereal disease control	\$3,780.00	
Tuberculosis control	5,770.00	
Total		\$9,550.00
Current expenses:		
Venereal disease control		
Tuberculosis control	\$3,859.30	
Heart disease control	2,518.24	
Maternal and child health	3,000.00	
Total		9,377.54
Travel:		
Tuberculosis control	5,000.00	
Total for communicable disease control: federal	\$23,927.54	
*Less estimated revenue	23,927.54	
Net appropriation		0.00
Dental services: state		
Personal services	\$16,470.00	
Current expenses	900.00	
Travel	200.00	
Other expenditures, donations	2,500.00	
Total	\$20,070.00	
Less income, grants	2,500.00	
Net appropriation		17,570.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## Dental services: federal

## Personal services:

Maternal and child  
health

\$11,447.50

## Current expenses:

General health

\$2,410.66

Maternal and child  
health

2,939.34

Total

5,350.00

## Travel:

Maternal and child  
health

3,790.00

Total for dental services:

federal

\$20,587.50

\*Less estimated revenue

20,587.50

Net appropriation

0.00

Maternal and child health and crippled  
children: state

Personal services

\$19,987.00

Current expenses

300.00

Subsistence and support of persons

10,000.00

Travel

400.00

Other expenditures

3,150.00

Total

33,837.00

Maternal and child health and crippled  
children: federal

## Personal services:

Heart disease control

\$950.00

Maternal and child  
health

6,495.00

Crippled children's  
services

9,000.00

Total

\$16,445.00

## Current expenses:

Heart disease control	\$2,729.50
Maternal and child health	3,122.00
Crippled children's services	53,200.00

Total	59,051.50
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## Travel:

Heart disease control	\$500.00
Maternal and child health	1,500.00
Crippled children's services	1,000.00

Total	3,000.00
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Total for maternal and child health and crippled children's services: federal	\$78,496.50
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*Less estimated revenue	78,496.50
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Net appropriation	0.00
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## Industrial hygiene: state

Personal services	\$20,190.00
Current expenses	600.00
Travel	1,500.00
Equipment	750.00

Total	23,040.00
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## Industrial hygiene: federal

## Personal services:

General health	\$8,760.00
Heart disease control	3,369.50

Total	\$12,129.50
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## Current expenses:

General health	2,000.00
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Travel:		
General health	3,500.00	
	<hr/>	
Total for industrial hygiene	\$17,629.50	
*Less estimated revenue	17,629.50	
	<hr/>	
Net appropriation		0.00
Diagnostic laboratories: state		
Personal services	\$35,940.00	
Current expenses	1,800.00	
Travel	75.00	
Equipment	400.00	
Other expenditures, Hanover branch	1,420.00	
	<hr/>	
Total		39,635.00
* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.		
Diagnostic laboratories: federal		
Personal services:		
General health	\$2,040.00	
Venereal disease control	3,926.88	
Tuberculosis control	50.00	
	<hr/>	
Total		\$6,016.88
Current expenses:		
General health	\$4,363.75	
Tuberculosis control	2,900.00	
	<hr/>	
Total		7,263.75
Travel:		
General health	450.00	
	<hr/>	
Total for diagnostic laboratories:		
federal	\$13,730.63	
*Less estimated revenue	13,730.63	
	<hr/>	
Net appropriation		0.00

## Food and chemistry: state

Personal services	\$51,900.00
Current expenses	2,150.00
Travel	10,000.00
Equipment	1,150.00

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Total	65,200.00
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## Food and chemistry: federal

Current expenses:	
General health	\$1,000.00

## Travel:

General health	500.00
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Total for food and chemistry:	
federal	\$1,500.00
*Less estimated revenue	1,500.00

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Net appropriation	0.00
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## Sanitary engineering: state

Personal services	\$31,286.00
Current expenses	1,750.00
Travel	3,000.00
Equipment	500.00

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Total	36,536.00
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## Sanitary engineering: federal

Personal services:	
General health	\$450.00

Current expenses:	
General health	350.00

## Travel:

General health	750.00
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Total for sanitary engineering:	
federal	\$1,550.00
*Less estimated revenue	1,550.00

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Net appropriation	0.00
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## Commission on alcoholism: state

Personal services	\$20,360.00
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Current expenses	5,200.00
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Travel	1,200.00
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## Other expenditures:

General hospital treatment	10,000.00
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Total	36,760.00
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## Alcoholism: federal

## Personal services:

General health (psychiatric fees)	\$1,472.00
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Total for alcoholism: federal	\$1,472.00
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*Less estimated revenue	1,472.00
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Net appropriation	0.00
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\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## Training of personnel: federal

Heart disease control	\$1,000.00
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Maternal and child health	1,000.00
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Crippled children's services	1,000.00
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Total	\$3,000.00
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*Less estimated revenue	3,000.00
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Net appropriation	0.00
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## Merit system participation: federal

General health	\$1,517.34
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Venereal disease control	193.12
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Tuberculosis control	220.70
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Hospital services	55.18
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Heart disease control	82.76
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Maternal and child health	496.58
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Crippled children's services	193.12
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Total	\$2,758.80
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*Less estimated revenue	2,758.80
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Net appropriation	0.00
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## Dental board:

Personal services	\$560.00
Current expenses	288.00
Travel	466.00

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Total	\$1,314.00
Less estimated revenue	950.00

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Net appropriation	364.00
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## Registration in medicine:

Personal services	\$700.00
Current expenses	650.00
Travel	275.00

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Total	\$1,625.00
Less estimated revenue	1,625.00

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Net appropriation	0.00
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## Board of examiners in chiropody:

Personal services	\$53.00
Less estimated revenue	53.00

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Net appropriation	0.00
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## Total for department of health:

State	\$496,178.99
Federal	\$263,784.50
Less estimated revenue	263,784.50

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Net appropriation	0.00
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\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## For insurance department:

## Office of commissioner:

Salary of commissioner	\$6,400.00
Salary of deputy commissioner	5,460.00
Other personal services	24,970.00
Current expenses	7,025.00

Travel	1,000.00
Equipment	500.00

Total	<u>45,355.00</u>
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## Rating division:

Personal services	\$5,150.00
Current expenses	1,225.00
Travel	800.00
Equipment	550.00

Total	<u>7,725.00</u>
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## Real estate division:

Personal services	\$336.00
Current expenses	275.00

Total	<u>\$611.00</u>
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Less revenue	<u>611.00</u>
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Net appropriation	<u>0.00</u>
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Total for insurance department	<u><u>\$53,080.00</u></u>
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## For bureau of labor:

## Office of commissioner:

Salary of commissioner	\$5,640.00
Other personal services	6,765.00
Current expenses	1,850.00
Travel	1,000.00
Equipment	300.00

Total	<u>\$15,555.00</u>
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## Inspections division:

Personal services	\$20,940.00
Current expenses	1,750.00
Travel	6,000.00
Equipment	300.00

Total	<u>28,990.00</u>
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## Workmen's compensation division:

Personal services	\$13,500.00
Current expenses	2,375.00

Travel	100.00	
Equipment	300.00	
Total		16,275.00
New Hampshire Apprenticeship Council		500.00
Total for bureau of labor		<u>\$61,320.00</u>
For motor vehicle department:		
Administration:		
Salary of commissioner	\$6,200.00	
Salary of deputy commissioner	5,260.00	
Other personal services	117,195.00	
Current expenses	130,250.00	
Travel	2,000.00	
Equipment	5,000.00	
Other expenditures—retirement	10,000.00	
Total		\$275,905.00
Gasoline road toll:		
Personal services	\$15,870.00	
Current expenses	2,850.00	
Travel	2,500.00	
Equipment	500.00	
Total		21,720.00
Inspectional services:		
Personal services	\$51,090.00	
Current expenses	1,350.00	
Travel	27,000.00	
Equipment	16,000.00	
Total		95,440.00
Highway safety:		
Personal services	\$7,080.00	
Current expenses	2,200.00	
Travel	3,500.00	
Equipment	1,000.00	
Total		<u>13,780.00</u>

Total motor vehicle department	\$406,845.00
Less estimated revenue	406,845.00
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>

## For public welfare:

## Administration:

Board of public welfare	\$3,000.00
Salary of commissioner	5,700.00
Other personal services	*94,610.50
Current expenses	25,612.00
Travel	4,180.00
Equipment	1,000.00
Other expenditures—merit system	3,500.00
Employees retirement	31,500.00
	<hr/>

Total	\$169,102.50
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\* This amount includes \$3,000 to be paid to department of attorney general for legal services.

## State services:

Personal services	\$12,510.00
Current expenses	225.00
Travel	750.00
Equipment	150.00
	<hr/>

Total	13,635.00
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## Blind services:

Personal services	\$13,455.00
Current expenses	1,229.00
Travel	2,500.00
Equipment	200.00
	<hr/>

## Other expenditures:

Blind education	16,000.00
Sight conservation	15,000.00
	<hr/>

Total	48,384.00
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## Field services:

Personal services	\$274,084.50
Current expenses	36,011.00

Travel	31,600.00	
Equipment	5,377.50	
	<hr/>	
Total		347,073.00
Child welfare services—federal:		
Personal services	\$41,460.00	
Travel	10,300.00	
Other expenditures	2,100.00	
	<hr/>	
Total	\$53,860.00	
*Less revenue	53,860.00	
	<hr/>	
Net appropriation		0.00
Vocational rehabilitation—federal:		
Personal services	\$10,005.00	
Current expenses	25.00	
Travel	1,800.00	
Other expenditures	5,000.00	
	<hr/>	
Total	\$16,830.00	
*Less revenue	16,830.00	
	<hr/>	
Net appropriation		0.00
Vocational rehabilitation—state:		
Case services		5,000.00
Special children's fund		2,500.00
John Nesmith fund		3,700.00
Old age assistance:		
State's share		1,289,728.91
Towns and counties	\$1,316,090.40	
Less revenue	1,316,090.40	
	<hr/>	
Net appropriation		0.00
* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.		
Federal	\$2,658,543.29	
*Less revenue	2,658,543.29	
	<hr/>	
Net appropriation		0.00

## Aid to dependent children:

State's share		1,673,051.50
Federal	\$1,091,088.90	
*Less revenue	1,091,088.90	
	<hr/>	
Net appropriation		0.00

## Aid to needy blind:

State's share		115,912.83
Federal	\$106,925.34	
*Less revenue	106,925.34	
	<hr/>	
Net appropriation		0.00

## Aid to totally and permanently disabled:

State's share		31,383.90
Towns and counties	\$72,373.10	
Less revenue	72,373.10	
	<hr/>	
Net appropriation		0.00
Federal	\$105,469.00	
*Less revenue	105,469.00	
	<hr/>	
Net appropriation		0.00

For the period ending June 30, 1953, the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of law inconsistent with the provisions hereof are hereby suspended until June 30, 1953.

Amend the totals for the department of public welfare as follows:

Total for public welfare		\$3,699,471.64
Less revenue	\$221,500.00	
Less balance	254,031.84	
	<hr/>	475,531.84
		<hr/>
Net appropriation		\$3,223,939.80
		<hr/>

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## For recreation:

## General:

Salary of director	\$5,460.00
Other personal services	166,005.00
Current expenses	55,352.00
Travel	6,131.00
Equipment	13,710.00

## Other expenditures:

Prison work program	6,480.00
Timber tax	25,000.00

Total	<hr/> \$278,138.00
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## Franconia Notch State Reservation:

Personal services	\$33,212.90
Current expenses	24,012.77
Travel	973.72
Equipment	2,635.00
Other expenditures	250.00

Total	<hr/> 61,084.39
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## Cannon Mountain aerial tramway:

Personal services	\$90,080.34
Current expenses	32,011.11
Travel	1,000.00
Equipment	3,000.00

## Other expenditures:

Employees retirement system	6,212.97
Payment re forestry and recreation bonds	50,000.00

Total	<hr/> 182,604.42
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## Mt. Sunapee State Park:

Managing director	\$5,000.00
Other personal services	29,929.46
Current expenses	27,543.73
Travel	550.00
Equipment	900.00

## Other expenditures:

Bonds—principal and interest	29,250.00	
		<hr/>
Total		93,173.19
		<hr/>
Total for recreation		\$615,000.00
*Less estimated revenue		561,000.00
		<hr/>
Net appropriation		\$54,000.00
		<hr/> <hr/>

\* In the above appropriation any revenue in excess of the estimate shall be available for such expenditures as the governor and council shall approve.

## For secretary of state:

## Office of secretary:

Salary of secretary	\$6,080.00	
Salary of deputy secretary	4,580.00	
Other personal services	20,220.00	
Current expenses	2,200.00	
Travel	750.00	
Equipment	260.00	
		<hr/>
Total		\$34,090.00

## Elections:

Personal services	\$475.00	
Current expenses	35,000.00	
Travel	250.00	
		<hr/>
Total		35,725.00

## Photostat division:

Personal services	\$3,165.00	
Current expenses	1,225.00	
		<hr/>
Total		4,390.00

Total for secretary of state	<hr/> <hr/>	\$74,205.00
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## For state library:

## Administration:

Salary of librarian	\$4,150.00
Salary of assistant librarian	3,520.00



Other personal services	59,810.00	
Current expenses	5,425.00	
Travel	550.00	
Equipment	13,000.00	
Total		\$86,455.00
Extension:		
Current expenses	\$3,280.00	
Travel	3,300.00	
Equipment	9,350.00	
Other expenditures:		
Summer institute	300.00	
Total		16,230.00
Total for state library		<u>\$102,685.00</u>
For state police:		
Salary of superintendent	\$6,200.00	
Other personal services	252,815.00	
Current expenses	79,479.92	
Travel	15,000.00	
Equipment	30,000.00	
Total for state police		\$383,494.92
Less transfer from highway fund		325,970.00
Net appropriation		<u>\$57,524.92</u>
For state treasury:		
Office of treasurer:		
Salary of treasurer	\$5,500.00	
Salary of deputy	3,600.00	
Other personal services	40,286.65	
Current expenses	10,050.00	
Travel	200.00	
Equipment	6,905.00	
Other expenditures:		
Microfilming checks	2,600.00	
Printing reports	2,500.00	
Total		<u>\$71,641.65</u>

## Highway division:

Personal services	\$9,406.65
Current expenses	5,150.00
Equipment	900.00

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Total	\$15,456.65
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Less transfer from highway fund	15,456.65
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Net appropriation	0.00
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Bounties	12,000.00
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Trust funds	37,087.27
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Total for state treasury	\$120,728.92
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## For industrial school:

## Administration:

Salary of superintendent	\$5,460.00
Other personal services	11,625.75
Current expenses	2,541.25
Travel	760.00

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Total	\$20,387.00
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## Instruction:

Personal services	\$16,807.88
Current expenses	807.50
Equipment	190.00

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Total	17,805.38
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## Custodial care:

Personal services	\$87,628.00
Current expenses	23,655.00
Equipment	2,375.00

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Total	113,658.00
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## Auxiliary to custodial care:

Personal services	\$950.00
Current expenses	142.50
Travel	285.00
Equipment	190.00

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Total	1,567.50
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Operation of plant:	
Personal services	\$7,182.00
Current expenses	23,940.00
Equipment	1,900.00
	<hr/>
Total	33,022.00
Maintenance of plant:	
Personal services	\$16,397.00
Current expenses	2,470.00
Equipment	285.00
Other expenditures:	
Boiler repairs	1,000.00
Emergency lighting	1,500.00
	<hr/>
Total	21,652.00
Agriculture:	
Personal services	\$7,714.00
Current expenses	15,675.00
Equipment	950.00
	<hr/>
Total	24,339.00
Boys' and girls' benefit fund:	
Current expenses	4,370.00
Parole:	
Personal services	\$5,643.00
Current expenses	223.25
Travel	1,900.00
Equipment	285.00
	<hr/>
Total	8,051.25
	<hr/>
Total for industrial school	\$244,852.13
Less revenue	14,921.00
	<hr/>
Net appropriation	\$229,931.13
	<hr/>
For Laconia state school:	
Administration:	
Salary of superintendent	\$5,800.00
Other personal services	20,273.00

Current expenses	1,847.00	
Travel	1,000.00	
Equipment	1,976.00	
Total		\$30,896.00
Professional care and treatment:		
Personal services	\$191,976.00	
Current expenses	5,670.00	
Travel	50.00	
Equipment	760.00	
Total		198,456.00
Custodial care:		
Personal services	\$55,765.00	
Current expenses	102,325.00	
Travel	25.00	
Equipment	4,560.00	
Total		162,675.00
Operation of plant:		
Personal services	\$22,190.00	
Current expenses	47,510.00	
Total		69,700.00
Maintenance of plant:		
Personal services	\$15,140.00	
Current expenses	10,385.00	
Equipment	5,909.00	
Total		31,434.00
Agriculture:		
Personal services	\$59,627.50	
Current expenses	51,040.00	
Travel	25.00	
Equipment	3,725.00	
Total		114,417.50
Total for Laconia state school		\$607,578.50
Less revenue		34,500.00
Net appropriation		<u>\$573,078.50</u>

## For prison industries:

Personal services	\$55,470.00	
Current expenses	86,755.00	
Travel	500.00	
Equipment	14,300.00	
		<hr/>
Total		\$157,025.00
Less revenue		157,025.00
		<hr/>
Net appropriation	.	<u>0.00</u>

## For soldiers' home:

## Office of the commandant:

Salary of commandant	\$3,020.00	
Other personal services	2,961.91	
Current expenses	425.00	
Travel	75.00	
		<hr/>
Total		\$6,481.91

## Custodial care:

Personal services	\$14,479.59	
Current expenses	1,225.00	
		<hr/>
Total		15,704.59

## Professional care and treatment:

Personal services	\$9,492.09	
Current expenses	800.00	
		<hr/>
Total		10,292.09

## Operation of plant:

Personal services	\$12,788.34	
Current expenses	2,300.00	
		<hr/>
Total		15,088.34

## Maintenance of plant:

Current expenses	475.00
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## Operation and maintenance (federal) :

Current expenses	\$18,000.00
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## Other expenditures:

Repairs	2,000.00
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Total	\$20,000.00
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Less revenue	20,000.00
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Net appropriation	0.00
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Total for soldiers' home	\$48,041.93
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Less revenue	3,800.00
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Net appropriation	\$44,241.93
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## For state hospital:

## Administration:

Salary of superintendent	\$10,300.00
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Other personal services	88,177.00
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Current expenses	18,383.45
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Travel	3,800.00
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Equipment	1,686.25
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Total	\$122,346.70
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## Professional care and treatment:

Personal services	\$1,180,878.50
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Current expenses	60,724.00
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Travel	3,420.00
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Equipment	10,095.65
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Total	1,255,118.15
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## Custodial care:

Personal services	\$347,898.55
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Current expenses	502,492.05
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Travel	71.25
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Equipment	15,361.50
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Total	865,823.35
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## Operation of plant:

Personal services	\$89,904.58
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Current expenses	220,374.35
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Travel	1,553.25
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Equipment	3,078.00
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Total	314,910.18
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## Maintenance of plant:

Personal services	\$113,049.24
Current expenses	21,422.50
Travel	76.00
Equipment	2,082.40

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Total	136,630.14
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## Agriculture:

Personal services	\$44,412.50
Current expenses	62,196.50
Travel	95.00
Equipment	2,489.00

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Total	109,193.00
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Total for state hospital	\$2,804,021.52
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Less revenue	106,500.00
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Net appropriation	\$2,697,521.52
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## For state prison:

## Administration:

Salary of warden	\$5,100.00
Other personal services	10,276.20
Current expenses	1,004.50
Travel	803.60
Equipment	245.00

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Total	\$17,429.30
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Instruction	4,116.00
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## Custodial care:

Salary of deputy warden	\$3,035.00
Other personal services	125,345.00
Current expenses	81,372.30
Equipment	1,754.20

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Total	211,506.50
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## Auxiliary to prison care:

Personal services	\$4,802.00
Current expenses	3,998.40

Other expenditures—awards	980.00	
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Total		9,780.40
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Operation of plant:

Personal services	\$6,390.00	
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Current expenses	7,746.50	
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Total		14,136.50
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Maintenance of plant:

Current expenses	\$10,196.90	
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Equipment	2,548.00	
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Other expenditures—repairs to chimneys	5,000.00	
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Total		17,744.90
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Agriculture:

Personal services	\$8,238.86	
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Current expenses	18,250.50	
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Equipment	4,950.96	
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Total		31,440.32
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Parole:

Personal services	\$14,543.20	
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Current expenses	1,372.00	
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Travel	3,430.00	
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Equipment	171.50	
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Total		19,516.70
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Total for state prison		\$325,670.62
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Less revenue		32,947.60
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Net appropriation for state prison		<u>\$292,723.02</u>
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For state sanatorium:

Administration:

Salary of superintendent	\$6,500.00	
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Other personal services	7,930.00	
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Current expenses	1,195.00	
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Travel	1,400.00	
Equipment	200.00	
Total		\$17,225.00
Professional care:		
Personal services	\$74,015.00	
Current expenses	16,030.00	
Equipment	1,000.00	
Total		91,045.00
Custodial care:		
Personal services	\$42,320.00	
Current expenses	33,700.00	
Equipment	200.00	
Total		76,220.00
Operation of plant:		
Personal services	\$30,220.00	
Current expenses	22,130.00	
Equipment	1,700.00	
Total		54,050.00
Maintenance of plant:		
Personal services	\$500.00	
Current expenses	1,900.00	
Equipment	400.00	
Total		2,800.00
Agriculture:		
Personal services	\$9,940.00	
Current expenses	8,901.00	
Equipment	2,655.00	
Total		21,496.00
Total for state sanatorium		\$262,836.00
Less revenue		14,700.00
Net appropriation		\$248,136.00

## For University of New Hampshire:

Millage fund	\$1,120,237.80
Extension work in counties	61,000.00
	<hr/>
Total for University of New Hampshire	<u>\$1,181,237.80</u>

For board of accountancy:	\$601.00
Less revenue	601.00
	<hr/>
Net appropriation	<u>0.00</u>

## For barbers' board:

Personal services	\$3,660.00
Current expenses	512.00
Travel	1,000.00
Other expenditures:	
Employees retirement	155.72
	<hr/>
Total	\$5,327.72
Less revenue	5,327.72
	<hr/>
Net appropriation	<u>0.00</u>

## For chiropractic examiners:

Personal services	\$375.00
Current expenses	200.00
Travel	325.00
	<hr/>
Total for chiropractic examiners	<u>\$900.00</u>

## For board of education:

Administration:	
Salary of commissioner	\$8,250.00
Other personal services	87,846.76
Current expenses	15,210.00
Travel	6,480.00
Equipment	1,350.00
	<hr/>
Total	<u>\$119,136.76</u>

## Foundation aid:

Transportation	\$5,000.00	
State aid to school districts	600,000.00	
	<hr/>	
Total		605,000.00

## State-wide supervision:

Personal services: (net)	\$118,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
	<hr/>	
Total		119,500.00

## Smith-Hughes (state):

Personal services	\$6,450.00	
Current expenses	250.00	
Travel	900.00	
	<hr/>	
Total		7,600.00

## Smith-Hughes (federal):

Personal services	\$6,450.00	
Current expenses	250.00	
Travel	1,200.00	
	<hr/>	
Total	\$7,900.00	
Less revenue	7,900.00	
	<hr/>	
Net appropriation		0.00

## Vocational rehabilitation (state):

Current expenses	\$18,400.00	
Travel	500.00	
Equipment	600.00	
	<hr/>	
Total		19,500.00

## Vocational rehabilitation (federal):

Personal services	\$18,925.90	
Current expenses	21,643.00	
Travel	3,000.00	

Equipment	800.00	
	<hr/>	
Total	\$44,368.90	
Less revenue	44,368.90	
	<hr/>	
Net appropriation		0.00
George-Barden (state) :		
Personal services	\$7,866.35	
Current expenses	300.00	
Travel	1,500.00	
	<hr/>	
Total		9,666.35
George-Barden (federal) :		
Personal services	\$8,266.35	
Current expenses	300.00	
Travel	2,000.00	
	<hr/>	
Total	\$10,566.35	
Less revenue	10,566.35	
	<hr/>	
Net appropriation		0.00
N. H. technical institute—Manchester:		
Personal services	\$96,840.00	
Current expenses	23,020.00	
Travel	500.00	
Equipment	4,000.00	
Other expenditures:		
Medical services	150.00	
	<hr/>	
Total		124,510.00
N. H. technical institute—Portsmouth :		
Personal services	\$53,415.00	
Current expenses	21,850.00	
Travel	500.00	
Equipment	3,000.00	
	<hr/>	
Total		78,765.00

## Technical institutes (Concord office) :

Personal services	\$9,720.00
Current expenses	1,656.00
Travel	900.00
Equipment	225.00

Total	12,501.00
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OF FARRINGTON - STATE OF CALIFORNIA

## On-the-job-training for veterans (state) :

Current expenses	\$2,000.00
Equipment	200.00

Total	2,200.00
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## On-the-job-training for veterans (federal) :

Personal services	\$16,541.64
Travel	2,501.64

Total	\$19,043.28
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Less revenue	19,043.28
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Net appropriation	0.00
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## Area vocational schools :

Personal services	\$2,220.00
Current expenses	400.00
Travel	200.00

## Other expenditures :

Reimbursements to school districts	58,000.00
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Total	60,820.00
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## School lunch program :

Personal services	\$9,700.00
Current expenses	1,050.00
Travel	900.00
Equipment	50.00

Total	11,700.00
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## Education of the deaf:

Current expenses	\$45,000.00	
Travel	350.00	
Equipment	100.00	
	<hr/>	
Total		45,450.00

## Keene teachers college:

Personal services	\$348,200.00	
Current expenses	129,360.00	
Travel	2,200.00	
Equipment	5,750.00	
	<hr/>	
Total		485,510.00

## Plymouth teachers college:

Personal services	\$270,065.00	
Current expenses	96,900.00	
Travel	1,800.00	
Equipment	7,000.00	
	<hr/>	
Total		375,765.00

## Scholarships—world war orphans: 2,700.00

## Board of nurse examiners:

Personal services	\$6,970.00	
Current expenses	830.00	
Travel	500.00	

Total	\$8,300.00	
Less revenue and balance	8,300.00	

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Net appropriation	0.00
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Total for board of education	\$2,080,324.11
Less revenue	702,929.00

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Net appropriation	\$1,377,395.11
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In addition to the above appropriation said department shall receive for disbursement the income of the teachers colleges' dormitories and practice schools, revenue from

tuitions received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

After September 1, 1951, the position of chief of the division of educational research is hereby abolished and the state personnel commission is directed not to establish a similar position under any other title in the department of education.

For board of fire control:

Salary of fire marshal	\$5,000.00
Other personal services	8,610.00
Current expenses	1,890.00
Travel	2,250.00

Total for board of fire control	<u>\$17,750.00</u>
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For board of hairdressers:

Personal services	\$4,060.00
Current expenses	1,100.00
Travel	1,400.00
Equipment	75.00
Other expenditures	155.72

Total for board of hairdressers	\$6,790.72
Less estimated revenue	6,790.72

Net appropriation	<u>0.00</u>
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For board of optometry:

Personal services	\$400.00
Current expenses	220.00
Travel	150.00

Total for board of optometry	<u>\$770.00</u>
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For board of probation:

Salary of director	\$5,020.00
Other personal services	68,430.00
Current expenses	6,056.00

Travel	11,400.00	
Equipment	333.00	
	<hr/>	
Total for board of probation		\$91,239.00
		<hr/>
For public works division of department of public works and highways		\$13,500.00
		<hr/>
For veterans council:		
Personal services	\$6,000.00	
Current expenses	810.00	
Travel	2,000.00	
Equipment	250.00	
Veterans burials	10,000.00	
	<hr/>	
Total		\$19,060.00
		<hr/>
For water resources board:		
Personal services	\$20,685.00	
Current expenses	1,230.00	
Travel	1,700.00	
Equipment	250.00	
Stream flow gauging	10,350.00	
	<hr/>	
Total for water resources board		\$34,215.00
Less transfer from highway funds	\$2,750.00	
*Less transfer from Pittsburgh project	5,000.00	
Less other income	1,200.00	
	<hr/>	8,950.00
		<hr/>
Net appropriation		\$25,265.00
		<hr/>

\* Transferred by vote of the directors.

For aeronautics commission:	
Salary of director	\$5,020.00
Other personal services	14,220.00
Current expenses	2,245.00
Travel	2,250.00
Equipment	100.00
	<hr/>
Total	\$23,835.00



*Airways toll fund	5,000.00
*Air safety fund	4,366.93

Total for aeronautics commission	\$33,201.93
Less estimated revenue	33,201.93

Net appropriation	0.00
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\* Expenditures shall not exceed existing balances plus revenue in these items.

For bank commissioner:

Salary of commissioner	\$6,520.00
Salary of deputies	9,280.00
Other personal services	40,550.00
Current expenses	5,640.00
Travel	9,928.00
Equipment	784.00

Total for bank commissioner	\$72,702.00
*Less revenue	65,000.00

Net appropriation	\$7,702.00
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\* The bank commissioner shall collect from the institutions, the condition and management of which the bank commissioner is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws as the total cost of such examination, the sum of \$65,000 annually and each such institution shall pay to the state annually within thirty days after receipt by it of notice of assessment, such proportion of the total sum collectible hereunder as its assets bear to the total assets of all such institutions as shown by the reports of the bank commissioner as of the thirtieth of June preceding such payments. Sums collected under the provisions hereof shall be credited to the appropriation for the bank commissioner.

For cancer commission:

Personal services	\$23,400.00
Current expenses	73,075.00
Travel	1,350.00
Equipment	200.00

Total for cancer commission	\$98,025.00
Less estimated revenue	9,500.00

Net appropriation	\$88,525.00
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## For fish and game department:

## Commission:

Current expenses	\$50.00
Travel	1,200.00
Employees retirement	23,606.00

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Total	\$24,856.00
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## Conservation:

Personal services	\$110,442.50
Current expenses	12,500.00
Travel	56,000.00
Equipment	6,800.00

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Total	185,742.50
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Bounties:	6,700.00
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## Damage:

Personal services	\$10,238.40
Current expenses	8,745.00
Travel	1,000.00
Equipment	500.00
Other expenditures	8,000.00

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Total	28,483.40
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## Office of director:

Salary of director	\$5,460.00
Other personal services	22,120.00
Current expenses	29,900.00
Travel	500.00
Equipment	500.00

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Total	58,480.00
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## Education:

Personal services	\$12,150.00
Current expenses	5,250.00
Travel	2,500.00
Equipment	2,250.00
Other expenditures	6,000.00

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Total	28,150.00
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## Research :

Personal services	\$30,510.05
Current expenses	7,039.00
Travel	3,500.00
Equipment	1,805.00

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Total	42,854.05
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## Propagation of fish :

Personal services	\$132,810.87
Current expenses	146,600.00
Travel	7,000.00
Equipment	6,260.00

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Total	292,670.87
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## Propagation of game :

Personal services	\$7,439.76
Current expenses	13,625.00
Travel	500.00
Equipment	775.00

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Total	22,339.76
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## Construction—maintenance :

Personal services	\$17,961.70
Current expenses	20,400.00
Travel	3,500.00
Equipment	1,500.00

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Total	43,361.70
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## Pittman-Robertson :

Personal services	\$40,079.50
Current expenses	14,759.00
Travel	6,000.00
Equipment	3,940.00
Other expenditures	26,000.00

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Total	90,778.50
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Total for fish and game department	\$824,416.78
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Less revenue and balance	824,416.78
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Net appropriation	0.00
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In addition to the above appropriation the fish and game department shall receive for disbursement any unexpended balances from income of previous years. Said additional amounts appropriated hereunder shall be expended under the direction of the fish and game commission, with the approval of the governor and council.

For liquor commission:

Liquor administration:

Salary, 3 commissioners $\frac{1}{2}$	\$8,910.00
Other personal services	71,180.00
Current expenses	28,200.00
Travel	3,500.00
Equipment	1,000.00
Total	<u>\$112,790.00</u>

Beer administration:

Salary, 3 commissioners $\frac{1}{2}$	\$8,910.00
Other personal services	61,709.50
Current expenses	14,500.00
Travel	25,000.00
Equipment	1,000.00
Total	<u>111,119.50</u>

Liquor enforcement:

Personal services	\$13,810.00
Current expenses	925.00
Travel	6,000.00
Total	<u>20,735.00</u>

Stores operations:

Personal services	\$448,675.00
Current expenses	198,300.00
Travel	7,000.00
Equipment	10,000.00
Total	<u>663,975.00</u>

Warehouse:

Personal services	\$57,340.00
Current expenses	26,500.00

Travel	100.00	
Equipment	2,500.00	
		<hr/>
Total		86,440.00
		<hr/>
Total for liquor commission		\$995,059.50
Less revenue		995,059.50
		<hr/>
Net appropriation		0.00
		<hr/> <hr/>

## For pharmacy commission:

Personal services	\$1,600.00	
Current expenses	235.00	
Travel	700.00	
		<hr/>
Total for pharmacy commission		\$2,535.00
		<hr/> <hr/>

## For planning and development commission:

Salary of director	\$5,400.00	
Other personal services	51,000.00	
Current expenses	40,800.00	
Travel	8,000.00	
Equipment	2,000.00	

## Other expenditures:

Regional associations*	16,950.00	
Eastern States exposition	8,000.00	

Total for planning and development commission	\$132,150.00	
Less revenue	7,150.00	
		<hr/>

Net appropriation \*\*\$125,000.00

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$2,825.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

\*\* The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to approval of the governor and council.

## For public service commission:

Salary of 3 commissioners	\$20,400.00
Other personal services	80,303.50
Current expenses	19,375.00
Travel	8,000.00
Equipment	1,000.00
Aids to navigation	1,600.00

Total for public service  
commission

\$130,678.50

\*Less revenue

49,000.00

Net appropriation

\$81,678.50

\* Any income in excess of the above estimate shall be available for further expenditure as the governor and council shall approve.

## For racing commission:

Salary of 3 commissioners	\$5,400.00
Other personal services	28,580.00
Current expenses	3,270.00
Travel	2,500.00
Equipment	700.00
Retirement	490.00

Total for racing commission

\$40,940.00

Less revenue

40,940.00

Net appropriation

0.00

## For tax commission:

## Municipal accounting:

Personal services	\$37,230.00
Current expenses	1,475.00
Travel	7,500.00
Equipment	250.00

Total

\$46,455.00

## Utilities tax:

Personal services	\$2,600.00
Current expenses	150.00

Travel	150.00	
Equipment	275.00	
	<hr/>	
Total		3,175.00
Office of commission:		
Salary of 2 commissioners	\$8,840.00	
Salary of secretary	5,460.00	
Other personal services	37,800.00	
Current expenses	10,155.00	
Travel	12,750.00	
Equipment	860.00	
	<hr/>	
Total		75,865.00
Intangibles tax:		
Personal services	\$15,260.00	
Current expenses	2,600.00	
Travel	500.00	
Equipment	275.00	
	<hr/>	
Total		18,635.00
Tobacco products:		
Personal services	\$21,720.00	
Current expenses	17,405.00	
Travel	7,500.00	
Equipment	160.00	
	<hr/>	
Total		46,785.00
Legacy and succession:		
Personal services	\$9,240.00	
Current expenses	1,250.00	
Travel	100.00	
Equipment	550.00	
Other fees	4,000.00	
	<hr/>	
Total		15,140.00
Total tax commission		\$206,055.00
Less revenue		38,710.00
		<hr/>
Net appropriation		<u>\$167,345.00</u>

## For water pollution commission:

Personal services	\$27,166.00	
Current expenses	4,750.00	
Travel	5,000.00	
Equipment	750.00	
		<hr/>
Total		\$37,666.00

## Federal funds:

Personal services	\$5,565.00
Current expenses	465.00
Travel	3,000.00
Equipment	500.00

Total	\$9,530.00
Less revenue	9,530.00

Net appropriation	0.00
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Total for water pollution commission	<u>\$37,666.00</u>
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## For civil defense:

Personal services	\$17,520.00
Current expenses	6,178.00
Travel	2,000.00
Equipment	*20,000.00
Other expenditures	2,000.00

Total	<u>\$47,698.00</u>
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\* To be spent only upon approval of the governor and council.

## Field staff:

Current expenses	\$7,260.00
Travel	7,340.00

Total	<u>14,600.00</u>
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Total for civil defense	<u>\$62,298.00</u>
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## For employees retirement:

Personal services	\$16,890.00
Current expenses	1,708.00



Travel	500.00	
Equipment	410.00	
Other expenditures for normal contribution for general employees	125,000.00	
		<hr/>
Total for employees retirement	\$144,508.00	
		<hr/>
For firemen's retirement system	\$50,000.00	
		<hr/>
For policemen's retirement system	\$59,000.00	
		<hr/>
For teachers retirement system:		
Personal services	\$15,310.00	
Current expenses	2,000.00	
Travel	800.00	
Equipment	500.00	
Assessments	784.28	
Other expenditures—normal contributions	163,490.36	
		<hr/>
Total for teachers retirement system	\$182,884.64	
		<hr/>
For mental hygiene and child guidance clinics:		
Personal services	\$42,140.00	
Current expenses	5,100.00	
Travel	1,000.00	
Equipment	300.00	
		<hr/>
Total	\$48,540.00	
Federal funds:		
Personal services	\$18,365.00	
Current expenses	75.00	
Travel	1,000.00	
Other expenditures	260.00	
		<hr/>
Total	\$19,700.00	
Less revenue	19,700.00	
		<hr/>
Net appropriation		0.00
Total for mental hygiene and child guidance clinics		<hr/>
		\$48,540.00
		<hr/>

## For public works and highways:

## Administration:

Personal services	\$120,000.00
Current expenses	90,450.00
Travel	1,500.00
Equipment	6,000.00
Other expenditures	2,500.00

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Total	\$220,450.00
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## Engineering:

Personal services	\$438,225.00
Current expenses	31,900.00
Travel	55,000.00
Equipment	12,000.00

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Total	537,125.00
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## Laboratory:

Personal services	\$26,520.00
Current expenses	4,480.00
Travel	700.00
Equipment	1,650.00
Other expenditures	1,650.00

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Total	35,000.00
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## Highway marking and roadside development:

Personal services	\$77,680.00
Current expenses	136,691.00
Travel	19,239.00
Equipment	3,550.00
Other expenditures	2,190.00

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Total	239,350.00
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## Garage:

Personal services	\$231,500.00
Current expenses	313,500.00
Equipment	205,000.00

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Total	750,000.00
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## Planning and survey:

Personal services	\$87,094.00
Current expenses	12,706.00
Travel	11,300.00
Equipment	8,300.00

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Total	119,400.00
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## Equipment transportation:

Travel — motor vehicle	35,000.00
Maintenance — TLM-SAM-RRM	4,000,000.00
Bridge maintenance TLBM-SABM	250,350.00
Land and buildings	273,810.00
Legislative specials	455,460.00
Debt service	1,015,000.00
Capital improvements	10,743,555.00

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Total for public works and highways	\$18,674,500.00
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Less revenue	18,674,500.00
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Net appropriation	0.00
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Authority is hereby given to expend such balances as may exist July 1, 1951, in the various accounts and any income in excess of the estimates shall be available for further expenditure as may be approved by the governor and council.

Total net appropriation	<u>\$13,855,053.38</u>
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**2. State Board of Education.** On and after the passage of this act the office of deputy commissioner of education is abolished. Such parts of sections 8 and 10, chapter 134 of the Revised Laws as refer to deputy commissioners of education, and the salary schedule for such office as set forth in section 1, chapter 250, Laws of 1947, are hereby repealed.

**3. Salary Adjustment Fund.** Whereas the appropriation for personal services in state departments and institutions for the year ending June 30, 1952, includes an annual increment for each position under the classification law, and whereas, upon occasion, due to vacancies and personnel turnover, salaries and wages and increment increases as provided by the appropriations as well as longevity are not needed for said

positions, whenever a salary or longevity pay increment is not granted due to personnel turnover or due to the replacement of an employee with another employee at a lesser salary, or for other reasons, the department of administration and control shall immediately transfer from the departmental appropriations such portions of said salaries as will be unnecessary or not required to a special account to be known as the salary adjustment fund. This fund shall be available only for transfer to departments or institutions for emergency personnel needs or the employment of temporary help, subject to the approval of the governor and council.

**4. Deputy Registers of Probate.** There is hereby appropriated for the fiscal year ending June 30, 1952, the sum of \$1,166.66 and there is also hereby appropriated the sum of \$5,000 for the fiscal year ending June 30, 1953. The sums appropriated by this section are for the purpose of providing funds for the salary increases for deputy registers of probate as provided under a bill passed at the present session of the legislature increasing salaries of deputy registers of probate.

**5. Printing.** No funds of the state of New Hampshire whether appropriated hereunder or otherwise available, shall be expended for printing, publication or binding of any matter not expressly authorized to be printed, published or bound, by existing statute; and no such expressly authorized printing, publication or binding shall be contracted for except upon express approval as to format, artistic layout, and cost, by the governor and council, or by a person or persons appointed by the governor and council for that purpose.

**6. Takes Effect.** This act shall take effect as of July 1, 1951.

[Approved August 31, 1951.]

## CHAPTER 256.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE  
STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING  
JUNE 30, 1953.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriations.** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the fiscal year ending June 30, 1953, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$10,960.00 for the office of legislative assistant to the appropriations and finance committees, as provided by section 2, chapter 296 of the Laws of 1947. \$250,000.00

(Salary of assistant \$6,500.00, deputy assistant \$3,810.00, current expenses \$650.00)

Council of state governments 1,000.00

Total for legislative branch \$251,000.00

For executive branch:

Office of governor:

Salary of governor	\$10,000.00
Salary of secretary	4,200.00
Salary of administrative assistant	6,000.00
Other personal services	7,718.00
Current expenses	3,350.00
Travel	500.00
Equipment	300.00

Total \$32,068.00

Contingent fund 7,500.00

Total governor's office \$39,568.00

Emergency fund 250,000.00

## For governor's council:

Per diem (@ \$10.00 per diem)	\$5,000.00
Current expenses	300.00
Travel	3,000.00

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Total for governor's council	8,300.00
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Total for executive branch	<u>\$297,868.00</u>
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## For judicial branch:

## For supreme court:

Salaries of justices	\$47,680.00
Salary of clerk of court	3,320.00
Salary of reporter	2,600.00
Other personal services	3,760.00
Current expenses	3,630.00
Travel	1,250.00
N. H. supreme court reports	4,000.00

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Total	\$66,240.00
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Less estimated revenue	422.00
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Net appropriation	\$65,818.00
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## For superior court:

Salaries of judges	\$57,000.00
Other personal services	200.00
Current expenses	3,300.00
Travel	7,700.00

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Total	68,200.00
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For judicial council	900.00
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## For referees and masters:

Salaries of referees	\$3,600.00
Current expenses	50.00

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Total	3,650.00
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## For probate court:

Salaries of judges	\$24,050.00
Salaries of registers	23,765.00

Salaries of deputies	11,075.00	
Total		58,890.00
Total for judicial branch		<u>\$197,458.00</u>
For adjutant general's department:		
Central administration office:		
Salary of adjutant general	\$7,060.00	
Other personal services	16,440.00	
Current expenses	4,300.00	
Equipment	750.00	
Total		\$28,550.00
National guard:		
Personal services	\$16,345.00	
Current expenses	17,960.00	
Travel	1,500.00	
Equipment	200.00	
Total		36,005.00
Armories:		
Personal services	\$43,345.00	
Current expenses	72,000.00	
Travel	200.00	
Equipment	1,000.00	
Total		116,545.00
National guard rifle and pistol range:		
Personal services	\$2,450.00	
Current expenses	1,825.00	
Equipment	200.00	
Total		4,475.00
Officers' uniform allowance		11,250.00
State military reservation, Concord:		
Current expenses	\$12,500.00	
Equipment	400.00	
Total		12,900.00

## State military reservation, Concord:

## Photostatic:

Personal services	\$2,460.00
Current expenses	750.00
Equipment	200.00

Total	3,410.00
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## State military reservation,

## Grenier Air Force Base, Manchester:

Current expenses	\$3,100.00
Travel	400.00
Equipment	100.00

Total	3,600.00
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## State military reservation,

## Fort Dearborn, Rye:

Personal services	\$2,540.00
Current expenses	5,425.00
Equipment	150.00

Total	8,115.00
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Drill expenses—travel	1,000.00
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War service recognition—current expenses	300.00
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State guard	4,100.00
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Total adjutant general's department	\$230,250.00
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Less estimated revenue	19,810.00
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Total net appropriation	\$210,405.00
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## For administration and control:

## Division of budget and control:

Salary of comptroller	\$6,500.00
Salary of business supervisor	5,200.00
Salary of farm supervisor	4,700.00
Other personal services	6,480.00
Current expenses	2,000.00
Travel	1,200.00



## Other expenditures:

State house annex sinking fund	10,400.00
Firemen's relief	4,000.00
Atlantic marine fisheries	900.00
League of arts and crafts	8,000.00
State police assessment	16,395.00

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Total	\$65,775.00
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## Division of accounts:

Salary of director	\$5,200.00
Other personal services	40,309.00
Current expenses	1,975.00
Travel	750.00

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Total	48,234.00
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## Travel division:

Personal services	\$5,690.00
Current expenses	150.00

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Total	5,840.00
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## Division of purchase and property:

Salary of director	\$6,180.00
Other personal services	28,420.00
Current expenses	3,450.00
Travel	400.00
Equipment	300.00

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Total	38,750.00
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## Division of buildings and grounds:

Personal services	\$113,196.00
Current expenses	60,561.00

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Total	173,757.00
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## Mailing division:

Personal services	\$7,960.00
Current expenses	560.00

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Total	8,520.00
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## Division of personnel:

## State funds:

Personal services	\$29,050.00
Current expenses	1,837.00
Travel	1,200.00

Total	32,087.00
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## Federal funds:

Personal services	\$10,090.00
Current expenses	2,250.00
Travel	600.00

Total	\$12,940.00
Less federal income	12,940.00

Net appropriation	0.00
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Total administration and control	<u>\$372,963.00</u>
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## For department of agriculture:

## Office of commissioner:

Salary of commissioner	\$5,500.00
Other personal services	27,220.00
Current expenses	3,860.00
Travel	6,000.00
Equipment	456.00

## Other expenditures:

Feed, seed and fertilizer service	13,360.00
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Total	\$56,396.00
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## Division of markets and standards,

## Bureau of markets:

Personal services	\$20,285.00
Current expenses	11,200.00
Travel	3,500.00

## Other expenditures:

Cooperative grant to New	
England crop reporting service	800.00
Radio transcription	25.00

Total	35,810.00
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## Division of animal industry:

Salary of state veterinarian	\$5,300.00
Other personal services	24,140.00
Current expenses	5,655.00
Travel	4,000.00
Equipment	575.00

## Other expenditures:

Tubercular testing	30,000.00
Veterinarian services other than testing epidemics and inspections	500.00
Radio transcriptions	10.00

Total	<hr/>	70,180.00
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## Insect and plant suppression and control:

Personal services	\$17,185.00
Current expenses	1,110.00
Travel	3,000.00

Total	<hr/>	21,295.00
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## Milk control:

Personal services	\$11,460.00
Current expenses	1,150.00
Travel	2,000.00

Total	\$14,610.00
Less estimated revenue	14,610.00

Net appropriation	<hr/>	0.00
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## Bureau of weights and measures:

Personal services	\$17,940.00
Current expenses	2,450.00
Travel	5,700.00

Total	\$26,090.00
Less revenue	20,000.00

Net appropriation	<hr/>	6,090.00
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## Economic poison law:

Current expenses	\$100.00
Travel	500.00
Other expenditures	2,400.00

Total	\$3,000.00
Less estimated revenue	3,000.00

Net appropriation	0.00
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## Board of veterinary examiners:

Current expenses	\$55.00
Travel	35.00
Other expenditures	110.00

Total	200.00
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## Farm products inspection fund:

Current expenses	\$300.00
Travel	1,415.00

## Other expenditures:

Temporary services	3,285.00
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Total	\$5,000.00
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*Less estimated revenue	5,000.00
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Net appropriation	0.00
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Licensing of live poultry dealers	\$1,170.00
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Less revenue	1,170.00
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Net appropriation	0.00
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\* In this appropriation any revenue in excess of the estimate shall be available for said purposes as the governor and council may approve.

Licensing of livestock dealers	\$15.00
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Less revenue	15.00
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Net appropriation	0.00
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## Grants:\*\*

State soil conservation committee	500.00
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Eastern States exhibit	2,000.00
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Total department of agriculture	\$192,471.00
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\*\* The provisions of section 8, chapter 231, of the Revised Laws are suspended for the fiscal year ending June 30, 1953.

## For attorney general:

## Office of attorney general:

Salary of attorney general	\$8,700.00
Salary of deputy attorney general	7,200.00
Salaries of 3 assistant attorneys general	18,600.00
Other personal services	19,790.00
Current expenses	2,050.00
Travel	2,000.00
Equipment	1,035.00

Total	<u>\$59,375.00</u>
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Commission on uniform state laws:	400.00
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## Division of charitable trusts:

Salary of director	\$3,560.00
Salary of registrar	3,420.00
Other personal services	440.00
Current expenses	250.00
Travel	200.00
Equipment	200.00

Total	<u>8,070.00</u>
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Total for attorney general	<u>\$67,845.00</u>
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Less estimated revenue	3,000.00
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Net appropriation	<u><u>\$64,845.00</u></u>
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## For forestry division (forestry and recreation):

## District fire supervision:

Personal services	\$55,970.00
Current expenses	20,360.00
Travel	2,700.00
Equipment	7,959.00

Total	<u>\$86,989.00</u>
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Less estimated revenue and balances	69,369.00
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Net appropriation	<u><u>\$17,620.00</u></u>
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Lookout stations:		
Personal services		30,840.00
Warden training conferences:		
Current expenses	\$2,000.00	
Other expenditures:		
State's share of town bills	3,000.00	
Total		5,000.00
Prevention of fires:		
Personal services	\$5,342.50	
Current expenses	2,920.00	
Travel	300.00	
Equipment	3,000.00	
Other expenditures	1,000.00	
Total		12,562.50
Forest fire bills to towns		2,000.00
White pine blister rust:		
Personal services	\$11,000.00	
Current expenses	1,120.00	
Total		12,120.00
Northeastern forest fire control:		
Current expenses	\$592.00	
Travel	100.00	
Total		692.00
Administration:		
Salary of state forester	\$5,200.00	
Other personal services	22,365.00	
Current expenses	4,925.00	
Travel	1,200.00	
Equipment	250.00	
Total		33,940.00
Nursery:		
Personal services	\$14,985.07	
Current expenses	8,160.00	

Equipment	1,650.00	
Total	<u>\$24,795.07</u>	
Less estimated revenue and balances	8,704.00	
Net appropriation		16,091.07
Reforestation:		
Personal services	\$2,784.88	
Travel	900.00	
Total	<u>3,684.88</u>	
Cooperative forest management:		
Personal services	\$10,436.00	
Current expenses	664.00	
Travel	3,200.00	
Equipment	200.00	
Total	<u>14,500.00</u>	
Caroline A. Fox Research Fund:		
Personal services	\$7,475.00	
Current expenses	3,550.00	
Travel	500.00	
Equipment	60.00	
Total	<u>\$11,585.00</u>	
Less estimated revenue and balance	11,585.00	
Net appropriation		0.00
Forest improvement fund:		
Personal services	\$23,416.60	
Current expenses	1,010.00	
Travel	2,500.00	
Equipment	50.00	
Other expenditures	1,000.00	
Total	<u>\$27,976.60</u>	
Less estimated revenue and balance	27,976.60	
Net appropriation		<u>0.00</u>

Total for forestry division	\$149,050.45
Less revenue	1,006.80
Net appropriation	<u>\$148,043.65</u>

## For department of health:

## Administration: state

Salary of state health officer	\$7,560.00
Other personal services	19,870.00
Current expenses	15,205.24
Travel	650.00
Equipment	250.00

Total	<u>\$43,535.24</u>
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## Administration: federal

## Personal services:

General health	\$6,510.00
Maternal and child health	6,750.00
Total	<u>\$13,260.00</u>

## Current expenses:

General health	\$852.00
Maternal and child health	1,844.82
Crippled children services	1,000.00
Total	<u>3,696.82</u>

## Travel:

General health	\$1,700.00
Maternal and child health	2,220.00
Total	<u>3,920.00</u>

Total for administration:	
federal	\$20,876.82
*Less estimated revenue	<u>20,876.82</u>

Net appropriation	0.00
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## Finance: state

Personal services	\$10,710.00
Current expenses	615.00
Equipment	50.00

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Total	11,375.00
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## Finance: federal

## Personal services:

General health	\$2,660.00
Maternal and child health	2,090.00

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Total	\$4,750.00
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## Current expenses:

General health	\$540.00
Maternal and child health	1,550.00

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Total	2,090.00
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## Travel:

General health	\$150.00
Maternal and child health	150.00

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Total	300.00
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Total for finance: federal	\$7,140.00
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*Less estimated revenue	7,140.00
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Net appropriation	0.00
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## Hospital services: state

Personal services	\$13,180.00
Consultant services	2,000.00
Current expenses	350.00
Travel	800.00

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Total	\$16,330.00
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Less revenue	1,000.00
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Net appropriation	15,330.00
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## Hospital services: federal

## Personal services:

Maternal and child health	\$2,000.00
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## Current expenses:

Hospital survey and planning	100.00
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## Travel:

Hospital survey and planning	\$844.82
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Maternal and child health	55.18
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Total	900.00
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## Total for hospital services:

federal	\$3,000.00
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*Less estimated revenue	3,000.00
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Net appropriation	0.00
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## Vital statistics: state

Personal services	\$18,750.00
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Current expenses	700.00
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Total	19,450.00
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## Vital statistics: federal

## Personal services:

General health	\$500.00
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Heart disease control	500.00
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Maternal and child health	5,450.00
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Total	\$6,450.00
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## Current expenses:

General health	\$2,000.00
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Heart disease control	1,500.00
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Maternal and child health	2,750.00
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Total	6,250.00
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## Travel:

General health	\$200.00
Maternal and child health	950.00

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Total	1,150.00
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## Total for vital statistics:

federal	\$13,850.00
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*Less estimated revenue	13,850.00
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Net appropriation	0.00
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\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## Public health nursing: state

Personal services	\$41,700.00
Current expenses	1,225.00
Travel	2,521.75

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Total	45,446.75
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## Public health nursing: federal

## Personal services:

General health	\$7,520.00
Venereal disease control	4,550.00
Maternal and child health	24,180.00

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Total	\$36,250.00
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## Current expenses:

Venereal disease control	\$250.00
Maternal and child health	1,500.00
Crippled children services	1,000.00

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Total	2,750.00
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## Travel:

General health	\$3,446.25
Venereal disease control	800.00
Maternal and child health	4,900.00
Crippled children services	1,000.00

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Total	10,146.25
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## Total for public health nursing:

federal	\$49,146.25
*Less estimated revenue	49,146.25

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Net appropriation	0.00
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## Communicable disease control: state

Personal services	\$27,810.00
Current expenses	3,300.00
Travel	1,500.00
Subsistence and support of persons	78,500.00

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Total	111,110.00
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## Communicable disease control: federal

## Personal services:

Venereal disease control	\$3,960.00
Tuberculosis control	10,680.00
Total	\$14,640.00

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## Current expenses:

Venereal disease control	\$500.00
Tuberculosis control	5,000.00
Heart disease control	2,000.00
Maternal and child health	3,000.00
Total	10,500.00

---

Travel:		
Tuberculosis control	5,000.00	
	<hr/>	
Total for communicable disease control: federal	\$30,140.00	
*Less estimated revenue	30,140.00	
	<hr/>	
Net appropriation		0.00
Dental services: state		
Personal services	\$17,010.00	
Current expenses	900.00	
Travel	200.00	
Other expenditures—donations	2,500.00	
	<hr/>	
Total	\$20,610.00	
Less income—grants	2,500.00	
	<hr/>	
Net appropriation		18,110.00
Dental services: federal		
Personal services:		
Maternal and child health	\$11,807.50	
Current expenses:		
General health	\$4,350.00	
Maternal and child health	1,000.00	
	<hr/>	
Total	5,350.00	
Travel:		
Maternal and child health	4,090.00	
	<hr/>	
Total for dental services: federal	\$21,247.50	
*Less estimated revenue	21,247.50	
	<hr/>	
Net appropriation		0.00
Maternal and child health and crippled children services: state		
Personal services	\$20,677.00	

Current expenses	300.00	
Subsistence and support of persons	10,000.00	
Travel	400.00	
Other expenditures	3,150.00	
Total		34,527.00

Maternal and child health and crippled  
children services: federal

Personal services:

Heart disease control	\$950.00	
Maternal and child health	6,495.00	
Crippled children services	9,000.00	
Total		\$16,445.00

Current expenses:

Heart disease control	\$2,729.50	
Maternal and child health	3,122.00	
Crippled children services	53,200.00	
Total		59,051.50

Travel:

Heart disease control	\$1,500.00	
Maternal and child health	1,500.00	
Total		3,000.00

Total for maternal and child health and crippled children services: federal	\$78,496.50	
*Less estimated revenue	78,496.50	

Net appropriation 0.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## Industrial hygiene: state

Personal services	\$20,760.00
Current expenses	600.00
Travel	1,500.00
Equipment	750.00

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Total	23,610.00
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## Industrial hygiene: federal

## Personal services:

General health	\$9,180.00
Heart disease control	3,369.50

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Total	\$12,549.50
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## Current expenses:

General health	2,500.00
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## Travel:

General health	3,500.00
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Total for industrial hygiene: federal	\$18,549.50
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*Less estimated revenue	18,549.50
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Net appropriation	0.00
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## Diagnostic laboratories: state

Personal services	\$37,230.00
Current expenses	1,800.00
Travel	75.00
Equipment	400.00
Other expenditures—Hanover branch	1,420.00

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Total	40,925.00
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## Diagnostic laboratories: federal

## Personal services:

General health	\$2,130.00
Venereal disease control	5,220.00
Tuberculosis control	50.00

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Total	\$7,400.00
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Current expenses :		
General health	\$4,523.25	
Venereal disease control	264.00	
Tuberculosis control	2,900.00	
	<hr/>	
Total		7,687.25
Travel:		
General health		450.00
	<hr/>	
Total for diagnostic laboratories: federal	\$15,537.25	
*Less estimated revenue	15,537.25	
	<hr/>	
Net appropriation		0.00
Food and chemistry: state		
Personal services	\$53,760.00	
Current expenses	2,150.00	
Travel	10,000.00	
Equipment	500.00	
	<hr/>	
Total		66,410.00
Food and chemistry: federal		
Current expenses:		
General health	\$1,250.00	
Travel:		
General health	500.00	
	<hr/>	
Total for food and chemistry: federal	\$1,750.00	
*Less estimated revenue	1,750.00	
	<hr/>	
Net appropriation		0.00
Sanitary engineering: state		
Personal services	\$32,546.00	
Current expenses	1,750.00	
Travel	3,000.00	
Equipment	500.00	
	<hr/>	
Total		37,796.00



## Sanitary engineering: federal

## Personal services:

General health	\$450.00
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## Current expenses:

General health	350.00
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## Travel:

General health	1,000.00
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Total for sanitary engineering:

federal	\$1,800.00
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*Less estimated revenue	1,800.00
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Net appropriation

0.00

## Commission on alcoholism: state

Personal services	\$21,020.00
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Current expenses	5,200.00
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Travel	1,200.00
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## Other expenditures—General

hospital treatment	10,000.00
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Total

37,420.00

## Alcoholism: federal

## Personal services:

General health (psychiatric fees)	\$1,232.00
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Total for alcoholism: federal

*Less estimated revenue	1,232.00
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Net appropriation

0.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

## Training of personnel: federal

Heart disease control	\$1,000.00
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Tuberculosis control	1,000.00
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Maternal and child health	1,000.00
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Crippled children services	1,000.00	
Total	<u>\$4,000.00</u>	
*Less estimated revenue	<u>4,000.00</u>	
Net appropriation		0.00
Merit system participation: federal		
General health	\$768.00	
Venereal disease control	566.00	
Tuberculosis control	250.00	
Hospital services	55.18	
Heart disease control	341.00	
Maternal and child health	950.00	
Crippled children services	850.00	
Total	<u>\$3,780.18</u>	
*Less estimated revenue	<u>3,780.18</u>	
Net appropriation		0.00
* This amount available for expenditures only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.		
Dental board:		
Personal services	\$610.00	
Current expenses	323.00	
Travel	513.00	
Total	<u>\$1,446.00</u>	
Less estimated revenue	<u>1,200.00</u>	
Net appropriation		246.00
Registration in medicine:		
Personal services	\$700.00	
Current expenses	650.00	
Travel	275.00	
Total	<u>\$1,625.00</u>	
Less estimated revenue	<u>1,625.00</u>	
Net appropriation		<u>0.00</u>

## Board of examiners in chiropody:

Personal services	\$53.00
Less estimated revenue	53.00

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Net appropriation	0.00
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## Total for department of health:

State	\$505,290.99
Federal	\$265,646.00
Less estimated revenue	265,646.00

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Net appropriation	0.00
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## For insurance department:

## Office of commissioner:

Salary of commissioner	\$6,500.00
Salary of deputy commissioner	5,620.00
Other personal services	25,360.00
Current expenses	5,625.00
Travel	1,000.00
Equipment	500.00

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Total	\$44,605.00
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## Rating division:

Personal services	\$5,390.00
Current expenses	1,225.00
Travel	800.00
Equipment	550.00

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Total	7,965.00
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## Real estate division:

Personal services	\$336.00
Current expenses	275.00
Equipment	235.00

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Total	\$846.00
Less estimated revenue	846.00

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Net appropriation	0.00
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Total for insurance department	\$52,570.00
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## For bureau of labor:

## Office of commissioner:

Salary of commissioner	\$5,800.00
Other personal services	6,920.00
Current expenses	1,850.00
Travel	1,000.00
Equipment	300.00

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Total	\$15,870.00
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## Inspections division:

Personal services	\$21,360.00
Current expenses	1,750.00
Travel	6,000.00
Equipment	300.00

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Total	29,410.00
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## Workmen's compensation division:

Personal services	\$14,070.00
Current expenses	2,375.00
Travel	100.00
Equipment	300.00

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Total	16,845.00
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New Hampshire Apprenticeship Council	500.00
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Total for bureau of labor	<u>\$62,625.00</u>
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## For motor vehicle department:

## Administration:

Salary of commissioner	\$6,200.00
Salary of deputy commissioner	5,260.00
Other personal services	121,485.00
Current expenses	130,250.00
Travel	2,000.00
Equipment	5,000.00
Other expenditures—retirement	10,300.00

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Total	\$280,495.00
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## Gasoline road toll:

Personal services	\$16,710.00
Current expenses	2,850.00
Travel	2,500.00
Equipment	500.00

Total	22,560.00
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## Inspectional services:

Personal services	\$52,110.00
Current expenses	1,350.00
Travel	27,000.00
Equipment	16,000.00

Total	96,460.00
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## Highway safety:

Personal services	\$7,740.00
Current expenses	2,200.00
Travel	3,500.00
Equipment	1,000.00

Total	14,440.00
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Total motor vehicle department	\$413,955.00
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Less estimated revenue	413,955.00
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Net appropriation	0.00
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## For public welfare:

## Administration:

Board of public welfare	\$3,000.00
Salary of commissioner	5,800.00
Other personal services	97,061.50*
Current expenses	25,612.00
Travel	4,180.00
Equipment	1,000.00
Other expenditures—	
Merit system	3,500.00
Employees retirement	32,500.00

Total	\$172,653.50
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\* This amount includes \$3,000 to be paid to department of attorney general for legal services.

## State services:

Personal services	\$13,020.00	
Current expenses	225.00	
Travel	750.00	
Equipment	150.00	
	<hr/>	
Total		14,145.00

## Blind services:

Personal services	\$13,785.00	
Current expenses	1,229.00	
Travel	2,500.00	
Equipment	200.00	
Other expenditures—		
Blind education	16,000.00	
Sight conservation	16,000.00	
	<hr/>	
Total		49,714.00

## Field services:

Personal services	\$282,435.00	
Current expenses	36,011.00	
Travel	31,600.00	
Equipment	3,150.00	
	<hr/>	
Total		353,196.00

## Child welfare services—federal:

Personal services	\$42,990.00	
Travel	10,300.00	
Other expenditures	2,100.00	
	<hr/>	
Total	\$55,390.00	
*Less revenue	55,390.00	
	<hr/>	

Net appropriation 0.00

## Vocational rehabilitation—federal:

Personal services	\$10,275.00	
Current expenses	25.00	
Travel	1,800.00	

Other expenditures	5,000.00	
Total	<u>\$17,100.00</u>	
*Less revenue	<u>17,100.00</u>	
Net appropriation		0.00
Vocational rehabilitation—state:		
Case services		5,000.00
Special children's fund		2,500.00
John Nesmith fund		3,700.00
Old age assistance:		
State's share		1,373,693.82
Towns and counties	\$1,575,097.53	
Less revenue	<u>1,575,097.53</u>	
Net appropriation		0.00
Federal	\$2,564,049.98	
*Less revenue	<u>2,564,049.98</u>	
Net appropriation		0.00
Aid to dependent children:		
State's share		1,708,204.30
Federal	\$1,074,053.88	
*Less revenue	<u>1,074,053.88</u>	
Net appropriation		0.00
Aid to needy blind:		
State's share		126,652.61
Federal	\$111,406.01	
*Less revenue	<u>111,406.01</u>	
Net appropriation		0.00
Aid to totally and permanently disabled:		
State's share		41,037.95
Towns and counties	\$98,574.43	
Less revenue	<u>98,574.43</u>	
Net appropriation		0.00

Federal	\$133,973.92	
*Less revenue	133,973.92	
	<hr/>	
Net appropriation		0.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

For the period ending June 30, 1953, the share which a county or town must reimburse the state for aid to permanently and totally disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of law inconsistent with the provisions hereof are hereby suspended until June 30, 1953.

Total for public welfare	\$3,850,497.18
Less revenue	221,500.00
	<hr/>
Net appropriation	\$3,628,997.18

#### For recreation:

##### General:

Salary of director	\$5,730.00	
Other personal services	184,693.00	
Current expenses	57,817.00	
Travel	8,339.49	
Equipment	11,340.00	
Other expenditures:		
Prison work program	6,480.00	
Timber tax	25,000.00	
	<hr/>	
Total		\$299,399.49

##### Franconia Notch State Reservation:

Personal services	\$26,846.90	
Current expenses	20,287.73	
Travel	1,000.00	
Equipment	3,020.00	
Other expenditures	250.00	
	<hr/>	
Total		51,404.63



## Cannon Mountain aerial tramway:

Personal services	\$85,976.02
Current expenses	29,546.99
Travel	1,000.00
Equipment	3,000.00

## Other expenditures:

Employees-retirement system	6,562.97
Payment re forestry and recreation bonds	50,000.00

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Total	176,385.98
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## Mt. Sunapee state park:

Managing director	\$5,000.00
Other personal services	34,861.30
Current expenses	17,823.60
Travel	550.00
Equipment	750.00

## Other expenditures:

Bonds—principal and interest	28,825.00
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Total	87,809.90
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Total for recreation	\$615,000.00
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*Less estimated revenue	561,000.00
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Net appropriation	\$54,000.00
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\* In the above appropriation any revenue in excess of the estimate shall be available for such expenditures as the governor and council shall approve.

## For secretary of state:

## Office of secretary:

Salary of secretary	\$6,180.00
Salary of deputy secretary	4,680.00
Other personal services	20,640.00
Current expenses	2,300.00
Travel	650.00
Equipment	260.00

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Total	\$34,710.00
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## Elections:

Personal services	\$7,200.00
Current expenses	38,885.00
Travel	725.00

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Total	46,810.00
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## Photostat division:

Personal services	\$3,165.00
Current expenses	1,350.00

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Total	4,515.00
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Total for secretary of state	\$86,035.00
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## For state library:

## Administration:

Salary of librarian	\$4,300.00
Salary of assistant librarian	3,620.00
Other personal services	62,800.00
Current expenses	5,625.00
Travel	550.00
Equipment	12,785.00

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Total	\$89,680.00
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## Extension:

Current expenses	\$3,280.00
Travel	3,300.00
Equipment	8,225.00

## Other expenditures:

Summer institute	300.00
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Total	15,105.00
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Total for state library	\$104,785.00
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## For state police:

Salary of superintendent	\$6,300.00
Other personal services	256,025.00
Current expenses	78,479.92

Travel	15,000.00	
Equipment	30,000.00	
		<hr/>
Total for state police		\$385,804.92
Less transfer from highway funds		327,934.00
		<hr/>
Net appropriation		\$57,870.92
		<hr/> <hr/>

## For state treasury:

## Office of treasurer:

Salary of treasurer	\$5,600.00	
Salary of deputy	3,700.00	
Other personal services	41,290.00	
Current expenses	10,515.00	
Travel	200.00	
		<hr/>
Total		\$61,305.00

## Highway division:

Personal services	\$9,750.00	
Current expenses	5,150.00	
		<hr/>
Total	\$14,900.00	
Less transfer from highway fund	14,900.00	
		<hr/>

Net appropriation 0.00

Bounties	12,000.00	
Trust funds	37,087.27	
		<hr/>
Total for state treasury		\$110,392.27
		<hr/> <hr/>

## For industrial school:

## Administration:

Salary of superintendent	\$5,620.00	
Other personal services	11,974.00	
Current expenses	2,693.25	
Travel	760.00	
		<hr/>
Total		\$21,047.25

Instruction:		
Personal services	\$17,413.50	
Current expenses	807.50	
Equipment	190.00	
Total		18,411.00
Custodial care:		
Personal services	\$91,480.25	
Current expenses	23,655.00	
Equipment	2,375.00	
Total		117,510.25
Auxiliary to custodial care:		
Personal services	\$950.00	
Current expenses	142.50	
Travel	285.00	
Equipment	190.00	
Total		1,567.50
Operation of plant:		
Personal services	\$7,419.50	
Current expenses	23,940.00	
Equipment	380.00	
Total		31,739.50
Maintenance of plant:		
Personal services	\$17,024.00	
Current expenses	2,470.00	
Equipment	285.00	
Total		19,779.00
Agriculture:		
Personal services	\$8,056.00	
Current expenses	15,675.00	
Equipment	950.00	
Total		24,681.00
Boys' and girls' benefit fund:		
Current expenses		4,370.00

## Parole:

Personal services	\$5,928.00
Current expenses	223.25
Travel	1,900.00
Equipment	285.00
Total	<hr/> 8,336.25
Total for industrial school	\$247,441.75
Less revenue	14,921.00
Net appropriation	<hr/> <hr/> \$232,520.75

## For Laconia state school:

## Administration:

Salary of superintendent	\$5,900.00
Other personal services	20,940.00
Current expenses	1,847.00
Travel	1,000.00
Equipment	205.00
Total	<hr/> \$29,892.00

## Professional care and treatment:

Personal services	\$198,789.00
Current expenses	5,670.00
Travel	50.00
Equipment	280.00
Total	<hr/> 204,789.00

## Custodial care:

Personal services	\$57,456.00
Current expenses	102,325.00
Travel	25.00
Equipment	1,500.00
Total	<hr/> 161,306.00

## Operation of plant:

Personal services	\$22,542.50
Current expenses	47,510.00
Total	<hr/> 70,052.50

## Maintenance of plant:

Personal services	\$15,680.00
Current expenses	10,385.00

Total	26,065.00
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## Agriculture:

Personal services	\$61,052.50
Current expenses	51,040.00
Travel	25.00
Equipment	4,175.00

Total	116,292.50
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Total for Laconia state school	\$608,397.00
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Less revenue	34,500.00
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Net appropriation	\$573,897.00
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## For prison industries:

Personal services	\$56,280.00
Current expenses	86,755.00
Travel	350.00
Equipment	2,000.00

Total	\$145,385.00
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Less revenue	145,385.00
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Net appropriation	0.00
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## For soldiers' home:

## Office of the commandant:

Salary of commandant	\$3,120.00
Other personal services	3,081.91
Current expenses	425.00
Travel	75.00

Total	\$6,701.91
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## Custodial care:

Personal services	\$15,069.59
Current expenses	1,225.00

Total	16,294.59
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## Professional care and treatment:

Personal services	\$9,882.09
Current expenses	800.00

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Total	10,682.09
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## Operation of plant:

Personal services	\$13,358.34
Current expenses	2,390.00

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Total	15,748.34
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## Maintenance of plant:

Current expenses	475.00
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## Operation and maintenance (federal):

Current expenses	\$18,000.00
Repairs	2,000.00

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Total	\$20,000.00
Less revenue	20,000.00

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Net appropriation	0.00
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Total for soldiers' home	\$49,901.93
Less revenue	3,800.00

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Net appropriation	\$46,101.93
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## For state hospital:

## Administration:

Salary of superintendent	\$10,400.00
Other personal services	91,677.50
Current expenses	17,824.85
Travel	3,800.00
Equipment	128.25

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Total	\$123,830.60
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## Professional care and treatment:

Personal services	\$1,225,965.50
Current expenses	60,724.00
Travel	3,420.00

Equipment	6,745.00	
Total		1,296,854.50
Custodial care:		
Personal services	\$359,498.05	
Current expenses	502,492.05	
Travel	71.25	
Equipment	14,459.00	
Total		876,520.35
Operation of plant:		
Personal services	\$92,165.20	
Current expenses	220,374.35	
Travel	1,553.25	
Equipment	1,757.50	
Total		315,850.30
Maintenance of plant:		
Personal services	\$115,440.20	
Current expenses	21,422.50	
Travel	76.00	
Equipment	1,425.00	
Total		138,363.70
Agriculture:		
Personal services	\$45,809.00	
Current expenses	57,114.00	
Travel	95.00	
Equipment	3,325.00	
Total		106,343.00
Total for state hospital		\$2,857,762.45
Less revenue		106,500.00
Net appropriation		\$2,750,262.45



## For state prison:

## Administration:

Salary of warden	\$5,200.00
Other personal services	10,538.80
Current expenses	1,200.50
Travel	803.60
Equipment	377.30

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Total	\$18,120.20
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Instruction	4,116.00
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## Custodial care:

Salary of deputy warden	\$3,035.00
Other personal services	129,314.00
Current expenses	81,872.30
Equipment	950.60

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Total	215,171.90
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## Auxiliary to prison care:

Personal services	\$4,802.00
Current expenses	3,998.40
Other expenditures—awards	980.00

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Total	9,780.40
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## Operation of plant:

Personal services	\$6,510.00
Current expenses	7,744.10

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Total	14,254.10
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## Maintenance of plant:

Current expenses	5,683.40
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## Agriculture:

Personal services	\$8,532.86
Current expenses	18,270.50

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Total	26,803.36
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## Parole:

Personal services	\$14,866.60
Current expenses	1,372.00

Travel	3,430.00
Equipment	171.50
	<hr/>
Total	19,840.10
	<hr/>
Total for state prison	\$313,769.46
Less revenue	32,947.60
	<hr/>
Net appropriation	<u>\$280,821.86</u>

## For state sanatorium:

## Administration:

Salary of superintendent	\$6,500.00
Other personal services	8,200.00
Current expenses	1,195.00
Travel	1,400.00
	<hr/>
Total	\$17,295.00

## Professional care:

Personal services	\$75,820.00
Current expenses	16,030.00
Equipment	750.00
	<hr/>
Total	92,600.00

## Custodial care:

Personal services	\$43,940.00
Current expenses	33,700.00
Equipment	450.00
	<hr/>
Total	78,090.00

## Operation of plant:

Personal services	\$30,700.00
Current expenses	20,530.00
Equipment	200.00
	<hr/>
Total	51,430.00

## Maintenance of plant:

Personal services	\$500.00
Current expenses	1,800.00

Equipment	250.00	
	<hr/>	
Total		2,550.00
Agriculture:		
Personal services	\$10,285.00	
Current expenses	6,100.00	
Equipment	2,250.00	
	<hr/>	
Total		18,635.00
		<hr/>
Total for state sanatorium		\$260,600.00
Less revenue		14,700.00
		<hr/>
Net appropriation		<u>\$245,900.00</u>
For University of New Hampshire:		
Millage fund	\$1,120,237.80	
Extension work in counties	61,000.00	
	<hr/>	
Total for University of New Hampshire	\$1,181,237.80	
		<hr/>
For board of accountancy:	\$601.00	
Less revenue	601.00	
	<hr/>	
Net appropriation		<u>0.00</u>
For barber's board:		
Personal services	\$3,720.00	
Current expenses	512.00	
Travel	1,000.00	
Other expenditures:		
Employees retirement	155.72	
	<hr/>	
Total for barber's board	\$5,387.72	
Less revenue	5,387.72	
	<hr/>	
Net appropriation		<u>0.00</u>
For chiropractic examiners:		
Personal services	\$375.00	
Current expenses	200.00	

Travel	325.00
Total for chiropractic examiners	<u>\$900.00</u>

## For board of education:

## Administration:

Salary of commissioner	\$8,325.00
Other personal services	89,840.76
Current expenses	15,210.00
Travel	6,480.00
Equipment	1,350.00
Total	<u>\$121,205.76</u>

## Foundation aid:

Transportation	\$5,000.00
State aid to school districts	600,000.00
Total	<u>605,000.00</u>

## State-wide supervision:

Personal services (net)	\$118,000.00
Other expenditures:	
Superintendents' conference	1,500.00
Total	<u>119,500.00</u>

## Smith-Hughes (state):

Personal services	\$6,522.50
Current expenses	250.00
Travel	900.00
Total	<u>7,672.50</u>

## Smith-Hughes (federal):

Personal services	\$6,522.50
Current expenses	250.00
Travel	1,200.00

Total	<u>\$7,972.50</u>
Less revenue	<u>7,972.50</u>

Net appropriation	0.00
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## Vocational rehabilitation (state) :

Current expenses	\$18,400.00
Travel	500.00
Equipment	600.00

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Total	19,500.00
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## Vocational rehabilitation (federal) :

Personal services	\$19,363.40
Current expenses	21,643.00
Travel	3,000.00
Equipment	800.00

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Total	\$44,806.40
Less revenue	44,806.40

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Net appropriation	0.00
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## George-Barden (state) :

Personal services	\$8,022.60
Current expenses	300.00
Travel	1,500.00

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Total	9,822.60
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## George-Barden (federal) :

Personal services	\$8,422.60
Current expenses	300.00
Travel	2,000.00

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Total	\$10,722.60
Less revenue	10,722.60

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Net appropriation	0.00
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## N. H. technical institute—Manchester :

Personal services	\$101,680.00
Current expenses	23,020.00
Travel	500.00
Equipment	4,000.00
Other expenditures:	
Medical service	150.00

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Total	129,350.00
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## N. H. technical institute—Portsmouth:

Personal services	\$56,193.00	
Current expenses	20,050.00	
Travel	500.00	
Equipment	3,000.00	
	<hr/>	
Total		79,743.00

## Technical institute (Concord office):

Personal services	\$10,179.00	
Current expenses	1,656.00	
Travel	900.00	
Equipment	225.00	
	<hr/>	
Total		12,960.00

## On-the-job-training for veterans (state):

Current expenses	\$2,000.00	
Equipment	200.00	
	<hr/>	
Total		2,200.00

## On-the-job-training for veterans (federal):

Personal services	\$17,231.64	
Travel	2,501.64	
	<hr/>	
Total	\$19,733.38	
Less revenue	19,733.38	
	<hr/>	
Net appropriation		0.00

## Area vocational schools:

Personal services	\$2,340.00	
Current expenses	400.00	
Travel	200.00	

## Other expenditures:

Reimbursements to school districts	46,700.00	
	<hr/>	
Total		49,640.00

## School lunch program:

Personal services	\$10,140.00	
Current expenses	1,050.00	

Travel	900.00	
Equipment	50.00	
Total		12,140.00
Education of the deaf:		
Current expenses	\$45,000.00	
Travel	350.00	
Equipment	100.00	
Total		45,450.00
Keene teachers college:		
Personal services	\$358,450.00	
Current expenses	120,560.00	
Travel	2,200.00	
Equipment	5,750.00	
Total		486,960.00
Plymouth teachers college:		
Personal services	\$279,720.00	
Current expenses	106,900.00	
Travel	1,800.00	
Equipment	7,000.00	
Total		395,420.00
Scholarships—world war orphans		2,700.00
Board of nurse examiners:		
Personal services	\$7,300.00	
Current expenses	500.00	
Travel	500.00	
Total	\$8,300.00	
Less revenue and balance	8,300.00	
Net appropriation		0.00
Total for board of education	\$2,099,263.86	
Less revenue	707,224.00	
Net appropriation	\$1,392,039.86	

In addition to the above appropriation said department shall receive for disbursement the income of the teachers

colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges and no funds out of this appropriation or any other available funds shall be used for this purpose.

For board of fire control:

Salary of fire marshal	\$5,000.00	
Other personal services	9,000.00	
Current expenses	1,825.00	
Travel	2,250.00	
	<hr/>	
Total for board of fire control		<u>\$18,075.00</u>

For board of hairdressers:

Personal services	\$4,060.00	
Current expenses	1,100.00	
Travel	1,400.00	
Equipment	100.00	
Other expenditures	155.72	
	<hr/>	
Total for board of hairdressers	\$6,815.72	
Less estimated revenue	6,815.72	
	<hr/>	
Net appropriation		<u>0.00</u>

For board of optometry:

Personal services	\$400.00	
Current expenses	220.00	
Travel	150.00	
	<hr/>	
Total for board of optometry		<u>\$770.00</u>

For board of probation:

Salary of director	\$5,120.00
Other personal services	70,230.00
Current expenses	6,673.00



Travel	11,400.00	
Equipment	237.00	
Total for board of probation		<u>\$93,660.00</u>
For public works division of department of public works and highways		<u>\$13,500.00</u>
For veterans council:		
Personal services	\$6,120.00	
Current expenses	610.00	
Travel	2,000.00	
Veterans burials	10,000.00	
Total		<u>\$18,730.00</u>
For water resources board:		
Personal services	\$21,075.00	
Current expenses	1,235.00	
Travel	1,700.00	
Equipment	175.00	
Stream flow gauging	10,350.00	
Total for water resources board		\$34,535.00
Less transfer from highway	\$2,750.00	
*Less transfer from Pittsburg project	5,000.00	
Less other income	1,200.00	
		<u>8,950.00</u>
Net appropriation		<u>\$25,585.00</u>
* Transferred by vote of the directors.		
For aeronautics commission:		
Salary of director	\$5,120.00	
Other personal services	14,880.00	
Current expenses	2,245.00	
Travel	2,250.00	
Equipment	100.00	
Total	\$24,595.00	

*Airways toll fund	5,000.00	
		<hr/>
Total for aeronautics commission	\$29,595.00	
Less estimated revenue	29,595.00	
		<hr/>
Net appropriation		0.00

\* Expenditures shall not exceed existing balances plus revenue in these items.

For bank commissioner:

Salary of commissioner	\$6,620.00
Salary of deputies	9,497.67
Other personal services	41,610.00
Current expenses	5,640.00
Travel	9,928.00
Equipment	456.00

Total for bank commissioner	\$73,751.67
*Less revenue	65,000.00

Net appropriation	\$8,751.67
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\* The bank commissioner shall collect from the institutions, the condition and management of which the bank commissioner is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws as the total cost of such examination, the sum of \$65,000 annually and each such institution shall pay to the state annually within thirty days after receipt by it of notice of assessment, such proportion of the total sum collectible hereunder as its assets bear to the total assets of all such institutions as shown by the reports of the bank commissioner as of the thirtieth of June preceding such payments. Sums collected under the provisions hereof shall be credited to the appropriation for the bank commissioner.

For cancer commission:

Personal services	\$24,550.00
Current expenses	76,680.00
Travel	1,350.00
Equipment	300.00

Total for cancer commission	\$102,880.00
Less estimated revenue	10,000.00

Net appropriation	\$92,880.00
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## For fish and game department:

## Commission:

Current expenses	\$50.00
Travel	1,200.00
Employees retirement	24,599.00

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Total	\$25,849.00
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## Conservation:

Personal services	\$113,147.50
Current expenses	12,400.00
Travel	56,000.00
Equipment	5,100.00

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Total	186,647.50
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Bounties	6,700.00
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## Damage:

Personal services	\$10,488.40
Current expenses	8,745.00
Travel	1,000.00
Equipment	500.00
Other expenditures	8,000.00

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Total	28,733.40
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## Office of director:

Salary of director	\$5,560.00
Other personal services	22,750.00
Current expenses	24,050.00
Travel	500.00
Equipment	500.00

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Total	53,360.00
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## Education:

Personal services	\$12,720.00
Current expenses	6,750.00
Travel	2,500.00
Equipment	2,250.00
Other expenditures	5,500.00

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Total	29,720.00
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## Research:

Personal services	\$31,863.78
Current expenses	7,039.00
Travel	3,500.00
Equipment	2,455.00

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Total	44,857.78
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## Propagation of fish:

Personal services	\$138,145.42
Current expenses	151,600.00
Travel	7,000.00
Equipment	6,260.00

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Total	303,005.42
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## Propagation of game:

Personal services	\$7,821.36
Current expenses	13,625.00
Travel	500.00
Equipment	1,775.00

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Total	23,721.36
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## Construction—maintenance:

Personal services	\$18,779.80
Current expenses	20,400.00
Travel	3,500.00
Equipment	500.00

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Total	43,179.80
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## Pittman-Robertson:

Personal services	\$41,937.00
Current expenses	14,709.00
Travel	6,000.00
Equipment	3,270.00
Other expenditures	22,000.00

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Total	87,916.00
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Total for fish and game department	\$833,690.26
Less revenue and balance	833,690.26
Net appropriation	<u>0.00</u>

In addition to the above appropriation the fish and game department shall receive for disbursement any unexpended balances from income of previous years. Said additional amounts appropriated hereunder shall be expended under the direction of the fish and game commission, with the approval of the governor and council.

For liquor commission:

Liquor administration:

Salary, 3 commissioners $\frac{1}{2}$	\$9,090.00
Other personal services	73,010.00
Current expenses	28,400.00
Travel	3,500.00
Equipment	1,000.00

Total	\$115,000.00
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Beer administration:

Salary, 3 commissioners $\frac{1}{2}$	\$9,090.00
Other personal services	62,729.50
Current expenses	14,800.00
Travel	25,000.00
Equipment	1,000.00

Total	112,619.50
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Liquor enforcement:

Personal services	\$13,960.00
Current expenses	975.00
Travel	6,000.00

Total	20,935.00
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Stores operations:

Personal services	\$459,205.00
Current expenses	199,800.00
Travel	7,000.00
Equipment	10,000.00

Total	676,005.00
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## Warehouse:

Personal services	\$58,360.00	
Current expenses	26,800.00	
Travel	100.00	
Equipment	2,500.00	
		<hr/>
Total		87,760.00
		<hr/>
Total for liquor commission		\$1,012,319.50
Less revenue		1,012,319.50
		<hr/>
Net appropriation		0.00
		<hr/>

## For pharmacy commission:

Personal services	\$1,600.00	
Current expenses	235.00	
Travel	700.00	
		<hr/>
Total for pharmacy commission		\$2,535.00
		<hr/>

## For planning and development commission:

Salary of director	\$5,500.00	
Other personal services	53,000.00	
Current expenses	38,700.00	
Travel	8,000.00	
Equipment	2,000.00	
Other expenditures:		
Regional associations*	16,950.00	
Eastern states exposition	8,000.00	
		<hr/>

Total for planning and development commission	\$132,150.00	
Less revenue	7,150.00	
		<hr/>

Net appropriation \*\*\$125,000.00

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$2,825.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

\*\* The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to the approval of the governor and council.

## For public service commission:

Salary—3 commissioners	\$20,700.00
Other personal services	82,213.00
Current expenses	19,375.00
Travel	8,000.00
Equipment	1,000.00
Aids to navigation	1,600.00
	<hr/>
Total for public commission	\$132,888.00
*Less revenue	49,000.00
	<hr/>
Net appropriation	\$83,888.00

\* Any income in excess of the above estimate shall be available for further expenditure as the governor and council shall approve.

## For racing commission:

Salary—3 commissioners	\$5,400.00
Other personal services	28,800.00
Current expenses	3,270.00
Travel	2,500.00
Equipment	100.00
Retirement	550.00
	<hr/>
Total for racing commission	\$40,620.00
Less revenue	40,620.00
	<hr/>
Net appropriation	0.00

## For tax commission:

## Municipal accounting:

Personal services	\$38,670.00
Current expenses	1,475.00
Travel	7,500.00
Equipment	280.00
	<hr/>
Total	\$47,925.00

## Utilities tax:

Personal services	\$2,720.00
Current expenses	150.00
Travel	150.00
Equipment	150.00
	<hr/>
Total	3,170.00

## Office of commission:

Salary—2 commissioners	\$9,040.00
Salary of secretary	5,620.00
Other personal services	39,300.00
Current expenses	10,155.00
Travel	12,750.00
Equipment	550.00

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Total	77,415.00
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## Intangibles tax:

Personal services	\$15,320.00
Current expenses	2,600.00
Travel	500.00
Equipment	275.00

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Total	18,695.00
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## Tobacco products:

Personal services	\$22,110.00
Current expenses	17,405.00
Travel	7,500.00
Equipment	150.00

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Total	47,165.00
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## Legacy and succession:

Personal services	\$9,510.00
Current expenses	1,250.00
Travel	100.00
Other fees	4,000.00

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Total	14,860.00
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Total for tax commission	\$209,230.00
Less revenue	38,765.00

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Net appropriation	\$170,465.00
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## For water pollution commission:

Personal services	\$28,301.00
Current expenses	4,850.00



Travel	5,000.00	
Equipment	750.00	
	<hr/>	
Total		\$38,901.00

## Federal funds:

Personal services	\$5,775.00
Current expenses	385.00
Travel	3,000.00
Equipment	400.00

Total	<hr/> \$9,560.00
Less revenue	9,560.00

Net appropriation	<hr/> 0.00
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Total for water pollution commission	<hr/> <hr/> \$38,901.00
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## For civil defense:

Personal services	\$18,000.00
Current expenses	6,178.00
Travel	2,000.00
Equipment	20,000.00*
Other expenditures	2,000.00

Total	<hr/> \$48,178.00
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\* To be spent only upon approval of the governor and council.

## Field staff:

Current expenses	\$6,660.00
Travel	6,740.00

Total	<hr/> 13,400.00
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Total for civil defense	<hr/> <hr/> \$61,578.00
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## For employees retirement:

Personal services	\$17,520.00
Current expenses	1,458.00
Travel	500.00
Equipment	60.00

Other expenditures for normal contributions for general employees 125,000.00

Total for employees retirement \$144,538.00

For firemen's retirement system \$50,000.00

For policemen's retirement system \$59,000.00

For teachers retirement system:

Personal services \$15,670.00

Current expenses 2,000.00

Travel 800.00

Equipment 400.00

Assessments 807.07

Other expenditures for normal contributions 175,912.88

Total for teachers retirement system \$195,589.95

For mental hygiene and child guidance clinics:

Personal services \$43,250.00

Current expenses 5,125.00

Travel 1,000.00

Equipment 300.00

Total \$49,675.00

Federal funds:

Personal services \$18,515.00

Current expenses 75.00

Travel 1,000.00

Other expenditures 260.00

Total \$19,850.00

Less revenue 19,850.00

Net appropriation 0.00

Total for mental hygiene and child guidance clinics \$49,675.00

For public works and highways:

Administration:

Personal services	\$123,000.00
Current expenses	90,450.00
Travel	1,500.00
Equipment	8,000.00
Other expenditures	2,500.00
	<hr/>
Total	\$225,450.00

Engineering:

Personal services	\$451,245.00
Current expenses	31,900.00
Travel	55,000.00
Equipment	12,000.00
	<hr/>
Total	550,145.00

Laboratory:

Personal services	\$27,720.00
Current expenses	4,680.00
Travel	800.00
Equipment	2,650.00
Other expenditures	1,650.00
	<hr/>
Total	37,500.00

Highway marking and roadside development:

Personal services	\$80,625.00
Current expenses	150,630.00
Travel	21,050.00
Equipment	1,050.00
Other expenditures	2,470.00
	<hr/>
Total	255,825.00

Garage:

Personal services	\$254,650.00
Current expenses	295,350.00
Equipment	200,000.00
	<hr/>
Total	750,000.00

## Planning and survey:

Personal services	\$90,454.00
Current expenses	12,696.00
Travel	11,300.00
Equipment	5,000.00

Total	119,450.00
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## Equipment transportation:

Travel—motor vehicle	35,000.00
Maintenance—TLM-SAM-RRM	4,000,000.00
Bridge maintenance—TLBM-SABM	251,600.00
Land and buildings	276,055.00
Legislative specials	455,460.00
Debt service	2,115,000.00
Capital improvements	9,135,515.00

Total for public works and highways	\$18,207,000.00
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*Less revenue	18,207,000.00
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Net appropriation	0.00
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\* Any income in excess of the estimates shall be available for further expenditures as may be approved by the governor and council.

Total net appropriation	\$14,354,423.28
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**2. Salary Adjustment Fund.** Whereas the appropriation for personal services in state departments and institutions for the year ending June 30, 1953 includes an annual increment for each position under the classification law, and whereas, upon occasion, due to vacancies and personnel turnover, salaries and wages and increment increases as provided by the appropriations as well as longevity are not needed for said positions, whenever a salary or longevity pay increment is not granted due to personnel turnover or due to the replacement of an employee with another employee at a lesser salary, or for other reasons, the department of administration and control shall immediately transfer from the departmental appropriations such portions of said salaries as will be unnecessary or not required to a special account to be known as the salary adjustment fund. This fund shall be available only for trans-

fer to departments or institutions for emergency personnel needs or the employment of temporary help, subject to the approval of the governor and council.

3. **Printing.** No funds of the state of New Hampshire whether appropriated hereunder or otherwise available, shall be expended for printing, publication or binding of any matter not expressly authorized to be printed, published or bound, by existing statute; and no such expressly authorized printing, publication or binding shall be contracted for except upon express approval as to format, artistic layout, and cost, by the governor and council, or by a person or persons appointed by the governor and council for that purpose.

4. **Takes Effect.** This act shall take effect as of July 1, 1952.

[Approved August 31, 1951.]

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## CHAPTER 257.

### JOINT RESOLUTION RELATIVE TO ADMINISTRATION OF INTEREST AND DIVIDENDS TAX.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of eleven hundred and fifty dollars (\$1,150) is hereby appropriated for current expenses for the division of interest and dividends of the state tax commission, said expenses being necessary because of additional duties imposed upon said division by the reorganization act. This appropriation shall be in addition to any other appropriations for said division. The sum hereby appropriated shall be a charge as expense of administration of chapter 78 of the Revised Laws. [Approved February 19, 1951.]

**CHAPTER 258.**

JOINT RESOLUTION IN FAVOR OF HORACE L. WETHERBEE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of four hundred sixty-nine dollars and fifty-five cents (\$469.55) is hereby appropriated to reimburse Horace L. Wetherbee for damages to his motor vehicle occasioned by an accident on November 17, 1949, in the town of Littleton when a moving shovel operated for the state highway department got out of control and hit said motor vehicle. The sum hereby appropriated shall be a charge against the highway funds and shall be in full settlement of said claim.

[Approved March 15, 1951.]

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**CHAPTER 259.**

JOINT RESOLUTION IN FAVOR OF DANIEL H. McLINN.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of seven hundred dollars is hereby appropriated for the fiscal year ending June 30, 1952, to provide funds for Daniel H. McLinn, in recognition of his having devoted almost fifty-five years to the service of the state. The sum hereby appropriated shall be expended by the fish and game department to said former employee in such installments as it may determine and said sum shall be a charge upon the fish and game fund.

[Approved March 30, 1951.]

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**CHAPTER 260.**

JOINT RESOLUTION RELATIVE TO PURCHASE OF NEW HAMPSHIRE  
DIGEST.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of eleven thousand two hundred dollars (\$11,200) is hereby appropriated for the purchase of seventy-

five sets of the New Hampshire Digest, now being prepared. The sum hereby appropriated shall be expended under the direction of the attorney general and the volumes so purchased shall be distributed to supreme and superior court justices and clerks, public service commission, tax commission, secretary of state, attorney general's office and the state library as the attorney general may direct. The governor is authorized to draw his warrant for the sums appropriated hereunder out of any money in the treasury not otherwise appropriated.

[Approved March 30, 1951.]

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## CHAPTER 261.

JOINT RESOLUTION IN FAVOR OF THE ESTATES OF GEORGE E.  
LAFLAMME, MARK J. GORHAM AND JOHN M. EWING.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of George E. Laflamme, representative from Manchester, the balance of salary due said decedent as a member of the house of representatives, to the estate of Mark J. Gorham, representative from Manchester, the balance of salary due said decedent as a member of the house of representatives, to the estate of John M. Ewing, representative from Laconia, the balance of salary due said decedent as a member of the house of representatives.

[Approved April 26, 1951.]

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## CHAPTER 262.

JOINT RESOLUTION RELATIVE TO PURCHASE OF AUTOMOBILES BY  
STATE EMPLOYEES AND OFFICIALS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT a joint committee, to consist of three members of the house and two members of the senate appointed by the speaker

of the house and by the president of the senate respectively, and two members of the public to be appointed by the governor with the advice and consent of the council, shall be appointed to make, without compensation, a thorough and impartial investigation of the economies to be effected by the following three methods (a) continuing the present rate of mileage paid to private car owners (b) purchasing more cars by the travel bureau for its pool and (c) authorizing the purchase through the director of purchase and property of automobiles by state employees and officials for use in their state employment and official business, and that said committee shall prepare a report of its findings and recommendations for legislation if any to the 1951 legislature.

[Approved May 2, 1951.]

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### CHAPTER 263.

#### JOINT RESOLUTION FOR AN INVESTIGATION BY JUDICIAL COUNCIL INTO THE PAYMENT OF COSTS ARISING IN CERTAIN CRIMINAL PROSECUTIONS.

WHEREAS, the prosecution of major criminal offenses punishable by death or by imprisonment for twenty-five years or more has proven to be costly to the county governments of the state, and

WHEREAS, by the existing law of the state such prosecutions are the direct responsibility of the attorney general of the state, and

WHEREAS, the full and effective discharge of such responsibility should not be limited by inadequate funds, and

WHEREAS, this is a matter which is related to the effective administration of justice within the state, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the judicial council established pursuant to the terms of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, is requested to consider the advisability of causing any and all costs arising out of such prose-



cutions to be a charge upon the state and to report its recommendations to the general court at its 1953 session in accordance with the terms of section 3 of said chapter 381-A.

[Approved May 29, 1951.]

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## CHAPTER 264.

### JOINT RESOLUTION IN FAVOR OF WILLIAM GAULEY.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of twenty-four dollars and twenty-one cents (\$24.21) is hereby appropriated to reimburse William Gauley for damages to his motor vehicle on account of an accident in the town of Goshen which occurred December 11, 1950. The sum appropriated hereunder shall be a charge on the highway funds and shall be in full settlement of said claim.

[Approved June 21, 1951.]

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## CHAPTER 265.

### JOINT RESOLUTION IN FAVOR OF THE TOWN OF AUBURN.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of twelve hundred and twenty-three dollars and thirteen cents (\$1,223.13) is hereby appropriated to reimburse the town of Auburn for payments made to cover cost of injuries to Raymond Case as a result of a fire occurring on May 7, 1950 in the town of Auburn. The injury was caused when said Case was working in a crew putting out this fire. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved July 10, 1951.]

**CHAPTER 266.****JOINT RESOLUTION FOR THE CELEBRATION OF JOHN STARK DAY  
ON AUGUST 9, 1952.**

WHEREAS John Stark and Amos Eastman were captured by the Indians in 1752, in the Baker River Valley, and

WHEREAS David Stinson was killed and scalped, while William Stark escaped, and

WHEREAS in 1952, 200 years will have elapsed, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the towns of the so-called Baker River Valley, celebrate the second Saturday of August, 1952, as John Stark Day. The celebration shall be held as near as possible to the place of ambush, as hereinbefore mentioned, at the junction of Stinson Brook with Baker River. The governor is hereby directed to proclaim August 9, 1952 as John Stark Day and to issue said proclamation at least thirty days prior to the day of celebration. The celebration shall be under the direction of a committee composed of representatives from the towns involved and from the state.

[Approved July 10, 1951.]

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**CHAPTER 267.****JOINT RESOLUTION IN FAVOR OF THE ESTATES OF BENJAMIN G.  
HALL, AUGUSTUS F. BUTMAN AND THOMAS H. BURBANK.**

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estates of Benjamin G. Hall, representative from Marlborough, Augustus F. Butman, Senator from District No. 22, and Thomas H. Burbank, Senator from District No. 20, the balance of salary due said decedents as members of the General Court.

[Approved July 16, 1951.]

**CHAPTER 268.****JOINT RESOLUTION RELATIVE TO SETTLEMENT OF THE  
GROVETON PAPERS COMPANY'S NOTE AND  
MORTGAGE TO COOS COUNTY.**

WHEREAS on or about October 31, 1940 the Groveton Papers Company executed a mortgage upon certain of its property to Coos county, representating security for a note, in the amount of \$570,000 payable in ten annual installments of \$57,000 each plus interest at 3%, or a total obligation of \$664,050, and

WHEREAS the Groveton Papers Company has paid the state the sums of \$513,000 in principal and \$92,340 in interest, or a total of \$605,340, and

WHEREAS it appears that the intention of chapter 63 of the Laws of 1933 as amended and the mortgage and note executed pursuant to said laws was that the said note and mortgage should be discharged upon payment of \$625,634.68, now, therefore, be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT upon payment of \$20,294.68 to the state, the Groveton Papers Company be and hereby shall be forever discharged from or upon any obligation under the said mortgage and note, and the attorney general and Coos county commissioners shall discharge said mortgage and note recorded in volume 310, page 244 of the Coos County Registry of Deeds.

[Approved July 19, 1951.]

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**CHAPTER 269.****JOINT RESOLUTION IN FAVOR OF THE ESTATES OF JAMES B. PERRY  
AND MILAN H. COLLINS.**

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estates of James B. Perry, representative from Jaffrey, and Milan H. Collins, rpresentative from Keene, respectively, the balance of salary due said decedents as members of the house of representatives.

[Approved August 14, 1951.]

**CHAPTER 270.**

**JOINT RESOLUTION FOR INCLUSION OF FOREST MANAGEMENT AND  
SOIL CONSERVATION PRACTICES IN ALL FLOOD CONTROL  
PLANS CARRIED OUT BY THE FEDERAL GOVERNMENT  
IN THE STATE OF NEW HAMPSHIRE IN CO-  
ORDINATION WITH STATE AUTHORITIES.**

WHEREAS, the building of dams and construction of reservoirs and lakes is only a part of the control of floods, and forest management and soil conservation practices are necessary to complete the control of water run-off, this being of great permanent benefit to the state, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the federal authorities in charge of all flood control plans and the construction of dams and reservoirs, in coordination with the New England-New York Inter-Agency Committee, be urged to give adequate consideration to needed forest management, soil conservation, stream management, and any other forms of conservation, in connection with such plans and construction, in order that control of floods will be permanent, and in order that the state may provide the necessary coordination, to carry out on a cooperative basis between the state and the federal government all work of this kind. Copies of this resolution shall be transmitted by the secretary of state to: the New Hampshire senators and representatives in Congress; the President of the United States Senate; the Speaker of the United States House of Representatives; the Connecticut River Valley Flood Control Commission; the chief of the United States Army Engineers; the head of each of the participating federal agencies; and the New England-New York Inter-Agency Committee.

[Approved August 15, 1951.]

## CHAPTER 271.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF  
EMILE E. MARQUIS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Emile E. Marquis, representative from Nashua, the balance of salary due said decedent as a member of the house of representatives.

[Approved August 22, 1951.]

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CHAPTER 272.JOINT RESOLUTION RELATING TO THE PRESERVATION OF HISTORIC  
MILITARY FLAGS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT, in order that tangible evidence of the sacrifices made on the field of battle by soldiers of New Hampshire in defense of the nation and its democratic institutions may be preserved for the inspiration of generations to come, the safeguarding of the historic flags borne by New Hampshire troops in time of war and their display in honor and dignity is deemed to be a sacred duty of the state. It is further resolved that to prevent further deterioration of the glorious colors and standards which have graced the Hall of Flags in the State House for generations, and similarly to protect the flags of World War I and World War II, the sum of twenty thousand dollars is appropriated for the fiscal year 1951-1952, for the purpose of repairing and chemically treating the flags of the Civil War and improving their present containing cabinets, and the sum of eight thousand three hundred dollars is appropriated for the chemical treatment of the flags which symbolize the participation of the people of the state of New Hampshire in World War I and World War II and the construction and erection in the Hall of Flags, in the State House, of an appropriate cabinet to house these historic emblems. The appro-

priations made in accordance with this act shall be continuing and shall not lapse. The sums hereby appropriated shall be expended by the adjutant general with the approval of the governor and council. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

[Approved August 31, 1951.]

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### CHAPTER 273.

#### JOINT RESOLUTION IN FAVOR OF THE ESTATE OF CHARLES W. BONNEY.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Charles W. Bonney, representative from Greenland, the balance of salary due said decedent as a member of the house of representatives.

[Approved August 31, 1951.]

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### CHAPTER 274.

#### JOINT RESOLUTION RELATIVE TO A MEMORIAL IN HONOR OF JOHN LANGDON.

WHEREAS, John Langdon of Portsmouth was president of the state in 1785, was senator from the state to the United States in 1789 and there chosen president *pro tempore* of the first national senate and presided over that body until Vice-President John Adams qualified as president of the senate by virtue of his office as Vice-President, and

WHEREAS, said John Langdon was the first Chief Executive of the United States and one of the outstanding early officials of this state and the United States and as such we should honor his memory, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT a committee of three members, two chosen by the speaker of the house from the membership of the house and

one chosen by the president of the senate from the membership of the senate, be and hereby are directed to secure a suitable plaque to be erected in a prominent, suitable location in the state house to the memory of John Langdon. The sum of three hundred dollars is hereby appropriated to be expended by said committee for the purposes hereof. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved August 31, 1951.]

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## CHAPTER 275.

### JOINT RESOLUTION ESTABLISHING A LOBSTER FUND.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of eight thousand dollars (\$8,000) is hereby appropriated for the year 1951 and a like sum for the year 1952 for the purpose of establishing a lobster fund for the protection of the lobster industry of the state. Said fund shall be administered by the fish and game department. All monies collected from lobster license fees and fines shall be paid into this fund, and all expenses connected with the administering of this chapter shall be paid from this fund. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

[Approved August 31, 1951.]

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## CHAPTER 276.

### JOINT RESOLUTION IN FAVOR OF SAMUEL W. TENOFKY.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of two thousand five hundred three dollars and seven cents (\$2,503.07) is hereby appropriated as follows: The sum of one hundred five dollars and seventeen cents to be

allowed and paid to Elliot Community Hospital, Keene, New Hampshire; the sum of one thousand three hundred nineteen dollars and forty cents to be allowed and paid the Bullard & Shedd Company, Inc., Keene, New Hampshire; the sum of one hundred eighty dollars to be allowed and paid to Keene Visiting Nurse Association, Keene, New Hampshire; the sum of eight hundred ninety-eight dollars and fifty cents to be allowed and paid to the Keene Clinic, Keene, New Hampshire, expenses on account of an accident suffered by Samuel W. Tenofsky on August 26, 1944 when on duty as a member of the state guard. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved August 31, 1951.]

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## CHAPTER 277.

### JOINT RESOLUTION RELATIVE TO DISCHARGE OF AN INTERIM COMMISSION AND TRANSFER OF FUNDS.

WHEREAS two legislative interim commissions, first under the authority of chapter 328 of the Laws of 1947 and again under the authority of chapter 339 of the Laws of 1949, have been unable to make a comprehensive report on the extent of tax exempt property in the state of New Hampshire as charged by the statutes cited above, and

WHEREAS their inability to perform has been due largely to lack of authority to require certain disclosures in order to make a report complete and the only alternative would have been an expensive professional survey, and

WHEREAS House Bill No. 459 relating to the listing of tax exempt property has been passed at this session of the legislature, requiring the listing by the assessors of all tax exempt property which will furnish all of the information sought by means of the interim commissions, and

WHEREAS the interim commission set up under the 1947 law has been discharged of its duties, Now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the interim commission set up under the 1949 law is



hereby discharged; that the state treasurer reimburse Ida M. Horner of Thornton, N. H. in the sum of eighty-one dollars and sixty-two cents (\$81.62) for actual expenses incurred in connection with the work of the interim commission set up under the 1947 law; and that any otherwise unexpended appropriation set up for the use of the said commissioners is hereby transferred to the tax commission to help defray the expense of printing and supplies which will be made necessary by the reporting of the information received in the tabulation required under House Bill 459.

[Approved August 31, 1951.]

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## CHAPTER 278.

### JOINT RESOLUTION RELATIVE TO INTERPRETATION OF CHAPTER 42 OF THE REVISED LAWS.

WHEREAS, the members of this General Court are keenly interested in the improvement of the election laws and their administration, and

WHEREAS, time does not permit the full and adequate consideration of proposed remedies submitted at this session, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the attorney general, ninety days before the primary and general election to take place in 1952, shall construe and so nearly as possible fully interpret the provisions of chapter 42 of the Revised Laws relating to political expenditures, advertising and contributions, giving particular reference to those points of controversy as demonstrated in the course of the 1950 primary and election, and such interpretation and construction shall be printed in pamphlet form and distributed through the office of the secretary of state to all candidates whose names appear in the records of the said secretary at least one week prior to the primary. There is hereby appropriated the sum of one thousand dollars to cover this cost of printing and distribution.

[Approved August 31, 1951.]

## CHAPTER 279.

## JOINT RESOLUTION IN FAVOR OF JOHN TWOMBLY AND OTHERS.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT John Twombly, sergeant-at-arms of the house be allowed the sum of \$1,358.50; that John S. Ball, sergeant-at-arms of the senate be allowed the sum of \$1,391.00; that Cyril J. Fretwell, clerk of the house, be allowed the sum of \$3,500.00; that Benjamin F. Greer, clerk of the senate, be allowed the sum of \$3,356.66; that Robert L. Stark, assistant clerk of the house, be allowed the sum of \$3,856.66; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$2,900.00; that Frank N. Jordan, custodian of mail and supplies, be allowed the sum of \$1,790.00; that Sherman L. Greer, Mabel L. Richardson, Marie A. Christiansen and George W. Philbrick, doorkeepers of the house, each be allowed the sum of \$1,040.00; that Frank D. Gay, doorkeeper of the senate, be allowed the sum of \$1,040.00; that Oney Russell, warden of the coat room of the house, be allowed the sum of \$1,045.00; that John W. Todd, assistant warden of the coat room of the house, be allowed the sum of \$1,040.00; that Carl E. Wallace, library messenger of the house, be allowed the sum of \$990.00; that Lloyd E. Fogg, telephone messenger of the house, be allowed the sum of \$1,140.00; that J. Russell Bickford, telephone messenger of the senate, be allowed the sum of \$1,050.00; that Rene Dufort, messenger of the senate, be allowed the sum of \$1,040.00; that Harold T. Baxter, assistant messenger of the senate, be allowed the sum of \$990.00; that H. Furber Jewett, speaker's page, be allowed the sum of \$1,040.00; that James Martin, page, be allowed the sum of \$1,225.00; that Francis W. Tolman, page, be allowed the sum of \$1,110.00; that William J. Clough, page, be allowed the sum of \$1,090.00; that Andrew L. Bouchard, page, be allowed the sum of \$1,035.00; that George J. Heon, page, be allowed the sum of \$1,045.00; that Alice V. Flanders, house stenographer, be allowed the sum of \$2,155.00; that Esther T. Hurd, senate stenographer, be allowed the sum of \$2,099.00; that Marion C. Colby, house stenographer, be allowed the sum of \$1,827.00; that Margaret L. Ford, house stenographer, be allowed the sum of \$1,560.00; that Beatrice N. Sokul, senate stenographer,

be allowed the sum of \$1,435.00; that Helen Y. Andrews, judiciary stenographer, be allowed the sum of \$1,889.00; that Eleanor C. Brown, appropriations stenographer, be allowed the sum of \$1,934.00; that Helene H. Wester, speaker's stenographer be allowed the sum of \$1,567.50; that Alice P. Boutwell, mileage clerk, be allowed the sum of \$1,719.00; that Palmer C. Reed, judiciary messenger, be allowed the sum of \$1,200.00; that Eugene C. Williams, appropriations messenger, be allowed the sum of \$1,200.00; that Nathalie Douillette, stenographer, be allowed the sum of \$31.17; that Helen L. Pillsbury, stenographer, be allowed the sum of \$15.60; that Atlee F. Zellers, legislative advisor to the executive department, be allowed the sum of \$5,465.00; that the superintendent of state buildings and grounds be allowed the sum of \$1,886.40 for extra janitor service; that Mary B. Parsons, deputy legislative budget assistant, be allowed the sum of \$350.00; that Remick Loughton be allowed the sum of \$1,250.00 for services as commissioner of the treasury; that Earl Pollard be allowed the sum of \$30.00; that Clarence A. DuBois be allowed the sum of \$19.50.

In case the clerk of the house is unable, from any cause, to prepare and index the permanent journal of the house immediately after adjournment the same shall be prepared and indexed by the assistant clerk and said assistant clerk shall be paid the sum specified by section 19 of chapter 9 of the Revised Laws, as amended, when said journal is filed with the secretary of state. If the assistant clerk so prepares the journal, he shall be allowed a period of sixty days after the session for such preparation.

The expense accounts of the attaches of the house and senate, as approved by the finance committee of the committee on appropriations of the house and the finance committee of the senate are hereby ratified and legalized.

The above mentioned sums shall be a charge upon the legislative appropriation.

[Approved August 31, 1951.]

**CHAPTER 280.**

JOINT RESOLUTION IN FAVOR OF PAUL MACEWEN, TREASURER  
HORNE NURSERY, INC.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of two thousand dollars (\$2,000) is hereby appropriated to Paul MacEwen to compensate him for deer damage to his property at Manchester. The sum hereby appropriated shall be in full settlement of said claim and shall be a charge upon the fish and game funds.

[Approved August 31, 1951.]

# PRIVATE ACTS

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## CHAPTER 281.

AN ACT TO LEGALIZE A SPECIAL MEETING OF THE UNION SCHOOL DISTRICT IN THE CITY OF KEENE AND THE ISSUE OF BONDS AUTHORIZED THEREAT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the special meeting of the Union School District in Keene held September 28, 1950, are hereby legalized, ratified and confirmed, and the authority to exceed the debt limit granted to said district by governor and council upon recommendation of the board of investigation under chapter 55 of the Laws of 1949 is hereby declared to be effective notwithstanding the expiration of said act, and the bonds of said district authorized thereby may be issued accordingly.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved January 18, 1951.]

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## CHAPTER 282.

AN ACT RELATING TO THE CHANGE OF NAME OF THE MILFORD BUILDING AND LOAN ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Milford Building and Loan Association.** The name of the Milford Building and Loan Association, a voluntary association duly established under the laws of the state in eighteen hundred and ninety, is hereby changed to Milford Co-operative Bank.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 1, 1951.]

**CHAPTER 283.**

## AN ACT RELATIVE TO BRISTOL SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bristol School District.** The authority to exceed the debt limit granted to Bristol School District by governor and council upon recommendation of the board of investigation under chapter 55 of the Laws of 1949 is hereby declared to be effective notwithstanding the expiration of said act, and the bonds of said district authorized thereby may be issued accordingly.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 1, 1951.]

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**CHAPTER 284.**

## AN ACT RELATIVE TO CANAAN SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Canaan School District.** The authority to exceed the debt limit granted to Canaan School District by governor and council upon recommendation of the board of investigation under chapter 55 of the Laws of 1949 is hereby declared to be effective notwithstanding the expiration of said act, and the bonds of said district authorized thereby may be issued accordingly.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 1, 1951.]

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**CHAPTER 285.**

## AN ACT LEGALIZING THE BIENNIAL ELECTION IN THE TOWN OF WINCHESTER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the biennial election in the town of Winchester on the seventh

day of November, 1950, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 8, 1951.]

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## CHAPTER 286.

AN ACT LEGALIZING THE ELECTION OF NOVEMBER, 1950, IN THE  
TOWN OF WARNER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the election of November, 1950, held in the town of Warner are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 8, 1951.]

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## CHAPTER 287.

AN ACT LEGALIZING ACTION TAKEN AT A SPECIAL MEETING IN  
THE TOWN OF NORTHFIELD RELATIVE TO ADOPTION OF  
BALLOT SYSTEM FOR ELECTION OF TOWN OFFICERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings of a special town meeting held in Northfield on May 12, 1950, relative to the adoption by the town of the non-partisan ballot system for the election of town officers of said town, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 8, 1951.]

**CHAPTER 288.****AN ACT RELATIVE TO THE CHARTER OF MOUNT PROSPECT LODGE,  
No. 69.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Mount Prospect Lodge Charter.** Amend section 1 of chapter 3057 of the Laws of 1864 by striking out the word "Holderness" where it appears in said section and inserting in place thereof the word, Ashland, and by striking out the words "to an amount not exceeding five thousand dollars" where they appear therein so that said section as amended shall read as follows: Section 1. That James F. Huckins, John C. Thompson, R. R. D. Dearborn, Thomas P. Cheney, Hosea Q. Thompson, their associates and successors, be, and they hereby are made a body politic and corporate by the name of Mount Prospect Lodge, No. 69, for such charitable and benevolent purposes at Ashland as said corporation may from time to time designate, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers and privileges, and subject to all the liabilities of corporations of a similar nature; and may take and hold real and personal estate, by donation, bequest or otherwise for the purposes of said corporation and the same sell, convey or otherwise dispose of at pleasure.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 15, 1951.]

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**CHAPTER 289.****AN ACT RELATIVE TO THE CHARTER OF THE GOFFSTOWN  
FIRE PRECINCT.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Name Changed.** The name of the village district known as Goffstown Fire Precinct, established by general law, whose charter was amended by chapter 269 of the Laws of 1891 and chapter 258 of the Laws of 1943, shall be changed to Goffstown Village Precinct.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 15, 1951.]



### CHAPTER 290.

#### AN ACT CHANGING THE NAME OF KEENE BUILDING AND LOAN ASSOCIATION OF KEENE TO KEENE CO-OPERATIVE BANK.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Change of Name.** The name of Keene Building and Loan Association of Keene, a building and loan association organized in 1912 under the provisions of chapter 93, Laws of 1887, as amended, now known as chapter 314 of the Revised Laws, as amended by chapter 106, Laws of 1949, shall be changed to Keene Co-operative Bank.

2. **Takes Effect.** This act shall take effect upon its passage.  
[Approved February 19, 1951.]

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### CHAPTER 291.

#### AN ACT TO CHANGE THE CORPORATE NAME OF THE HILLSBOROUGH COUNTY SAVINGS BANK.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Change of Name.** The name of the Hillsborough County Savings Bank, an organization incorporated by an act approved March 1, 1899, now known as chapter 171 of the Session Laws of 1899, is hereby changed to The Merchants Savings Bank of Manchester, New Hampshire.

2. **Takes Effect.** This act shall take effect as of May 1, 1951.

[Approved February 27, 1951.]

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### CHAPTER 292.

#### AN ACT LEGALIZING THE ACTION OF THE MEREDITH SCHOOL DISTRICT IN ADOPTING THE NONPARTISAN BALLOT SYSTEM.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Proceedings Legalized.** The votes and proceedings at

the annual meeting of the Meredith School District held in March 1950 whereby said district adopted the nonpartisan ballot system for the election of its district officers, are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved February 28, 1951.]

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## CHAPTER 293.

AN ACT RELATIVE TO HARVEY LAKE CEMETERY ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Dissolution of Corporation.** Harvey Lake Cemetery Association, a corporation incorporated in 1895 under general law, is hereby dissolved and its charter rescinded.

**2. Distribution of Funds.** Any funds remaining to the credit of Harvey Lake Cemetery Association, including trust funds, shall be forthwith turned over by the person having control thereof to the town of Northwood. Said town of Northwood shall hold said funds in trust for the benefit of said Harvey Lake Cemetery and use the income from said funds only for care of said cemetery either for specific lots as said funds are presently held or for general care of the lots in said cemetery.

**3. Takes Effect.** This act shall take effect January 1, 1952.  
[Approved March 1, 1951.]

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## CHAPTER 294.

AN ACT AUTHORIZING THE HOPKINTON SCHOOL DISTRICT IN THE TOWN OF HOPKINTON TO BORROW MONEY AND TO ISSUE SERIAL NOTES OR BONDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authority to Borrow Money.** The Hopkinton School District in the town of Hopkinton is hereby authorized to

borrow on its credit a sum not exceeding two hundred thousand dollars for the purpose of constructing and equipping a new school building in said district, and for acquiring land for its site.

**2. Bonds or Notes Authorized.** The school board of said district is hereby authorized and empowered to issue for and in behalf of said district serial notes or bonds to the amount of two hundred thousand dollars for the purpose of erecting and equipping a new school building in said district, and for acquiring land for its site.

**3. Debt Limit.** The debt authorized by this act shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

**4. Application of Laws.** Except as otherwise provided in this act the provisions of the municipal bonds statute shall apply to the notes or bonds herein authorized.

**5. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 1, 1951.]

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## CHAPTER 295.

### AN ACT RELATIVE TO ELECTION OF MEMBERS OF THE SCHOOL BOARD OF THE SCHOOL DISTRICT OF LINCOLN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Legalization.** The votes and proceedings of the school district meeting of Lincoln held March 14, 1950 providing for the election of members of its school board by a non-partisan ballot are hereby legalized, ratified and confirmed, and the provisions of sections 112 through 120 of chapter 34 of the Revised Laws insofar as they are appropriate shall apply to the election of said school board members.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 7, 1951.]

**CHAPTER 296.****AN ACT RELATIVE TO HILLSBOROUGH SCHOOL DISTRICT AND BONDS THEREFOR.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Ratification.** Notwithstanding the provisions of section 10 of chapter 55 of the Laws of 1949, the Hillsborough school district is authorized to complete the negotiation and sale of bonds authorized under the provisions of said chapter 55.

**2. Further Authorization.** The Hillsborough school district is hereby authorized to issue serial notes or bonds to an amount not exceeding forty thousand dollars (\$40,000) for the purpose of constructing and equipping the elementary school in said town. The authorization hereunder shall be for an additional amount over and above the one hundred and sixty thousand dollars (\$160,000) for said elementary school authorized by action of the school district in 1950.

**3. Exceptions.** The provisions of section 3 of chapter 139 of the Revised Laws as amended by chapter 178 of the Laws of 1947 shall not apply to a special school district meeting of the Hillsborough school district called for the purpose of considering the appropriation of money and issuance of bonds under the authority granted by section 2 hereof.

**4. Debt Limit for District.** The Hillsborough school district may not vote to issue bonds or notes in an amount in excess of eight per cent of the latest assessed valuation subject to taxation. The debt limitation provided for in this section shall include the debt authorized by section 2 of this act and the debt authorized by action of said school district in 1950 in accordance with the provisions of chapter 55 of the Laws of 1949.

**5. Extension of Bond Term.** The term of any bonds or notes issued under the provisions of section 2 hereof may be extended to a period of not more than twenty years.

**6. Application of Laws.** Except as otherwise provided herein the provisions of chapter 72 of the Revised Laws shall apply to the notes or bonds authorized by section 2.

**7. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 7, 1951.]

## CHAPTER 297.

AN ACT TO DISSOLVE THE SULLIVAN COUNTY RAILROAD AND  
SPRINGFIELD ELECTRIC RAILWAY COMPANY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Corporations Dissolved.** The following-named corporations are hereby dissolved:

I. Sullivan County Railroad, a corporation created under the provisions of chapter 4328 of the Laws of 1866 (which chapter was accepted and the corporation organized at a meeting of the purchasers of the property of Sullivan Railroad held September 3, 1866) as amended by chapter 198 of the Laws of 1889 and chapter 391 of the Laws of 1913.

II. Springfield Electric Railway Company, incorporated August 20, 1897, under the provisions of the general corporation statutes of this state.

**2. Limitation.** The corporations shall nevertheless continue as bodies corporate for the term of three years, for the purposes specified in section 97 of chapter 274 of the Revised Laws.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 15, 1951.]

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CHAPTER 298.

## AN ACT TO INCORPORATE THE INVALIDS' HOME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Incorporation.** The Invalids' Home shall be and become a corporation under chapter 272 of the Revised Laws upon recording as therein provided a true copy of the articles of incorporation of The Invalids' Home adopted November 16, 1874, certified as such by the president and secretary of said society.

**2. Proceedings and Property Rights.** All acts and proceedings of said society since November 16, 1874, shall be binding upon the corporation and all property acquired and now owned

by said society whether by purchase, gift or inheritance, shall be vested in the corporation.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved March 15, 1951.]

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### CHAPTER 299.

#### AN ACT RELATIVE TO A FIVE-DAY WEEK FOR THE CITY OF MANCHESTER POLICE DEPARTMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Five-Day Week.** Amend section 1 of chapter 352 of the Laws of 1917, as amended by section 1 of chapter 290 of the Laws of 1943, by striking out said section and inserting in place thereof the following: Section 1. Subject to the provisions of this act, members of the regular and reserve police force of the city of Manchester shall be relieved of police duties, without loss of pay, two days in each seven days. A member so relieved shall be exempt for the time from actual service and from presence for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the commissioners, or of the superintendent or other superior officer authorized thereto by the commissioners, require at any time that a member of the force should be deprived of his period of relief or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved March 15, 1951.]

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### CHAPTER 300.

#### AN ACT CHANGING THE NAME OF THE CHARLES F. AND MARY E. FOLSOM HOME OF EXETER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change of Name.** The name of The Charles F. and

Mary E. Folsom Home of Exeter, a charitable corporation established by chapter 272 of the Laws of 1945, is hereby changed to The Eventide Home, Inc. Provided, however, that part of the building used for said home for aged persons shall be known under the name of Charles F. and Mary E. Folsom Home.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 20, 1951.]

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## CHAPTER 301.

### AN ACT AUTHORIZING THE TOWN OF GILMANTON TO ISSUE REFUNDING NOTES OR BONDS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The town of Gilmanton is hereby authorized to issue its serial notes or bonds to an amount not exceeding twenty-one thousand dollars (\$21,000) for the purpose of refunding outstanding temporary loans of a like amount. Said serial notes or bonds shall be signed by the selectmen and countersigned by the treasurer.

**2. Terms.** Said issue of serial notes or bonds shall be due and payable at such times, not more than eleven years from their date of issue, and in such amounts, and in such manner as the board of selectmen and treasurer of said town may determine at a rate of interest to be fixed by the board.

**3. Application of General Laws.** Except as otherwise provided in this act the provisions of chapter 72 of the Revised Laws shall apply to the serial notes or bonds herein authorized.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 20, 1951.]

## CHAPTER 302.

AN ACT RELATIVE TO THE CHARTER OF THE TRUSTEES OF THE  
PROTESTANT EPISCOPAL CHURCH IN NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Merger of Trust Funds.** An act entitled "An Act to incorporate sundry persons by the name of The Trustees of the Protestant Episcopal Church in New Hampshire," approved July 10, 1846, as amended by an act approved June 29, 1853, an act approved June 28, 1877, and by chapter 141 of Laws of 1897, and by chapter 265 of Laws of 1931, and by chapter 278 of Laws of 1937, is further amended by the insertion of a new section following section 1 thereof to be designated as section 1-a as follows: Section 1-a. The corporation is empowered and authorized to act as trustee of any funds in any way set apart for the promotion of any religious, charitable, or educational object, upon appointment by the courts or upon appointment by individuals or by religious societies; and no bond shall be required of it to insure the faithful performance of the trust, provided, however, that the corporation may require such of its officers having custody of its funds, whether trust or otherwise, to give such bonds as it may deem reasonable. The corporation, unless the instrument creating the trust provides otherwise, is authorized to merge any and all funds received or held by it as trustee with other funds held by it into a consolidated investment fund. Each separate fund so merged shall be represented by its proportionate part of said consolidated investment fund, and income returnable on each separate fund so merged shall be that proportion of the total net income earned by said consolidated investment fund which each separate fund so merged bears to the whole investment fund. In any accounting, probate or otherwise, of the administration of said separate funds a proper account filed in accordance with the merger and investment powers herein conferred shall be accepted and approved.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 20, 1951.]



**CHAPTER 303.****AN ACT LEGALIZING A SPECIAL TOWN MEETING IN THE TOWN OF  
BRISTOL.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings of a special town meeting held in Bristol on August 22, 1950 relative to raising and appropriating money for the improvement of the Bristol Water Works, and for repairs to certain town bridges, are hereby legalized, ratified, and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 21, 1951.]

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**CHAPTER 304.****AN ACT TO RELIEVE MEMBERS OF THE POLICE FORCE OF THE CITY  
OF NASHUA FROM POLICE DUTY AT CERTAIN TIMES.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Nashua Police Force.** The members of the regular and reserve police force of the city of Nashua shall be relieved of police duties, without loss of pay, two days in each seven days, for a period of not less than forty-eight consecutive hours, except for the time required to answer at roll-call immediately before the beginning or immediately after the end of a tour of duty. The time and manner of such relief shall be determined in each instance by the police commissioners of the city or under authority by their chief of police or other superior officer or officers. A member so relieved shall be exempt for the time from actual service and from presence for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the commissioners, or of the superintendent or other superior officer authorized thereto by the commissioners, require at any time that a member of the force should be deprived of his period of relief

or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

**2. Repeal.** Chapter 260 of the Laws of 1945 relative to days of rest for police officers of the city of Nashua is hereby repealed.

**3. Takes Effect.** This act to take effect thirty days after its passage.

[Approved March 22, 1951.]

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## CHAPTER 305.

### AN ACT TO VALIDATE CERTAIN PROCEEDINGS OF PLYMOUTH VILLAGE FIRE DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Validation.** The votes and proceedings of Plymouth Village Fire District at the annual meeting held March 16 and September 7, 1950 and at a special meeting held February 23, 1951 relating to the issue of \$300,000 bonds are hereby legalized, ratified and confirmed and said bonds may be issued accordingly.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 22, 1951.]

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## CHAPTER 306.

### AN ACT RELATIVE TO BOND ISSUE FOR THE HAMPTON SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** Notwithstanding the provisions of section 10 of chapter 55 of the Laws of 1949, the Hampton School District is hereby authorized to complete the issuance of the bonds authorized and approved in 1950 under the provisions of said chapter 55.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 23, 1951.]

**CHAPTER 307.****AN ACT RELATIVE TO PROPERTY HOLDING OF THE HUGGINS  
HOSPITAL IN THE TOWN OF WOLFEBORO.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Huggins Hospital.** Amend section 2 of chapter 243 of the Laws of 1907 by striking out the words "not exceeding in value five hundred thousand dollars" in the seventh line, so that said section as amended shall read as follows: Sect. 2. Said corporation is hereby authorized to establish and maintain in the town of Wolfeboro an institution for such nursing, care, support, and medical and surgical treatment of sick and disabled people, as are usually provided and furnished by similar institutions, and for such purposes acquire and hold by lease, purchase, donation, deed, will, or otherwise, real and personal estate; and said institution being in the nature of a public charity, its property shall be exempted from taxation.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 23, 1951.]

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**CHAPTER 308.****AN ACT RELATING TO PENSIONING OF EMPLOYEES OF THE WATER-  
WORKS' DEPARTMENT OF THE CITY OF MANCHESTER.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Pensions.** Amend section 1 of chapter 225 of the Laws of 1923 by inserting after the word "employee" in the fourth line and after the word "employee" in the eighth line, the words, or full time official, so that said section as amended shall read as follows: Section 1. The board of water commissioners of the city of Manchester, or their successors in office, by vote of a majority of its members, may at his own request or upon recommendation of said board, retire from service for one year, any employee or full time official from said department, who in the judgment of said department has become disabled for useful service while in the performance of duty

or has had twenty years' consecutive service, and may grant a pension to such retired employee or full time official for a period not exceeding one year at a time, at half pay. Consecutive years under the terms of this section shall not be interpreted to disqualify those candidates for pensions who may have been laid off temporarily from work by the department from time to time.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved March 28, 1951.]

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### CHAPTER 309.

AN ACT LEGALIZING THE PROCEEDINGS OF THE SPECIAL MEETING  
OF THE PENACOOK AND BOSCAWEN WATER PRECINCT  
HELD ON JANUARY 18, 1951.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The calling, posting and advertising of the warrant, and the votes and proceedings of the special meeting of the Penacook and Boscawen Water Precinct held in the town of Boscawen on January 18, 1951, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 5, 1951.]

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### CHAPTER 310.

AN ACT RELATIVE TO HOURS OF DUTY FOR MEMBERS OF THE  
MANCHESTER FIRE DEPARTMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Manchester Fire Department.** Amend chapter 330 of the Laws of 1917, as amended by chapter 269, Laws of 1945, by striking out section 4-a and inserting in place thereof the following: Sect. 4-a. Said commissioners shall establish and put into operation a system of hours of duty for the perma-

nent members of the department so that the average weekly hours of any one of said members shall not exceed forty-eight in number.

**2. Takes Effect; Limitation.** This act shall take effect upon its passage, provided that the system of hours herein authorized shall become effective at such time as the fire commissioners may determine but not later than January 1, 1952. [Approved April 12, 1951.]

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### CHAPTER 311.

AN ACT LEGALIZING THE ELECTION OF NOVEMBER, 1950, IN THE TOWN OF ALSTEAD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the election of November, 1950, held in the town of Alstead, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

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### CHAPTER 312.

AN ACT LEGALIZING THE ADOPTION OF ZONING ORDINANCES IN THE TOWN OF HAMPTON.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings taken in the town of Hampton at the annual meeting March 8, 1949 relative to adoption of a zoning ordinance, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved April 20, 1951.]

## CHAPTER 313.

AN ACT TO LEGALIZE THE BIENNIAL ELECTION HELD IN THE  
TOWN OF WILTON, NOVEMBER 7, 1950.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the biennial election in the town of Wilton on the seventh day of November, 1950, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 25, 1951.]

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CHAPTER 314.

AN ACT AUTHORIZING THE LEBANON CENTER PRECINCT FIRE  
DEPARTMENT TO ISSUE BONDS FOR THE CONSTRUCTION AND  
EQUIPMENT OF A NEW FIRE STATION IN SAID  
PRECINCT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The Lebanon Center Precinct Fire Department, created by chapter 306 of the Laws of 1941, at any annual meeting is authorized to issue its serial notes or bonds in an amount not to exceed two hundred and ten thousand dollars for the purpose of the construction and equipment of a new fire station in said precinct. Said serial notes or bonds shall be signed by the precinct commissioners and countersigned by the treasurer.

**2. Debt Limit.** The limit of bonded indebtedness for said precinct shall be the debt authorized by this act and shall supersede the limit of indebtedness prescribed by section 7 of chapter 72 of the Revised Laws.

**3. Application of Law.** Except as otherwise provided herein, the provisions of chapter 72 of the Revised Laws shall apply to the notes or bonds herein authorized.

**4. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 26, 1951.]

## CHAPTER 315.

AN ACT TO AUTHORIZE NEW ENGLAND POWER COMPANY TO  
ACQUIRE AND EXERCISE IN NEW HAMPSHIRE ALL THE  
NEW HAMPSHIRE RIGHTS, PROPERTIES AND  
FRANCHISES OF CONNECTICUT RIVER  
POWER COMPANY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Sale Authorized.** Connecticut River Power Company, a New Hampshire corporation, may sell its properties and franchises to New England Power Company, a Massachusetts corporation, notwithstanding any other provisions of any general or special law, subject to the following provisions:

(1) New England Power Company shall continue to be duly qualified to do business in New Hampshire.

(2) The terms of sale shall have been approved by at least two-thirds in interest of the stockholders of each company.

(3) The New Hampshire Public Service Commission shall have entered an order finding that the transfer, subject to such terms and conditions as it may prescribe in the public interest, is consistent with the public good.

**2. Effective Date of Sale.** Such sale shall become effective upon the delivery of appropriate instruments of transfer after the order of said commission, referred to in section 1, shall have been entered and any necessary approvals of regulatory authorities of other jurisdictions shall have issued.

**3. Effect of Sale.** On and after the effective date of such sale, New England Power Company shall have and may exercise and enjoy the powers, rights, properties and franchises of Connecticut River Power Company so transferred. On and after such date it shall have the same rights as if it were a domestic corporation to sell electricity at wholesale for resale and to construct, purchase, own, operate and maintain dams, power houses and other works required for storage reservoirs and for the development of water powers and the generation of electricity therefrom, upon any portions of the Connecticut river and its tributaries which are wholly or partly located within this state, and transmission lines and apparatus for transmitting electricity. Such rights shall be subject to

compliance with the laws of this state including those requiring approvals of regulatory authorities, those relating to the transmission of electric energy generated by water power in New Hampshire beyond the confines of this state, and those relating to registration of foreign corporations.

**4. Local Distribution.** New England Power Company shall not engage in local distribution in New Hampshire.

**5. Takes Effect.** This act shall take effect upon its passage. [Approved April 26, 1951.]

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### CHAPTER 316.

AN ACT RELATIVE TO THE ELECTION OF MEMBERS OF THE SCHOOL COMMITTEE IN THE CITY OF MANCHESTER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Manchester School Committee.** Amend section 5 of chapter 337 of the Laws of 1913 by striking out said section and inserting in place thereof the following: Sect. 5. There shall not be any party designation whatsoever on a separate school ballot to be used at said election, provided, however, that the city clerk shall cause school ballots to be printed as part of the municipal official ballot, and said school ballot shall be located to the right of said official ballot and shall be separated therefrom by a wide marginal line and designated at the top thereof in bold type "school board ballot."

**2. Takes Effect.** This act shall take effect upon its passage and all acts or parts of acts inconsistent therewith are hereby repealed.

[Approved April 26, 1951.]

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### CHAPTER 317.

AN ACT RELATING TO YEARLY PENSION FOR THE COMMISSIONER OF CHARITIES OF THE CITY OF MANCHESTER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Manchester.** Amend section 3 of chapter 291 of the Laws of 1909 as amended by section 1 of chapter 413



of the Laws of 1913 and by section 1 of chapter 280 of the Laws of 1919, by adding at the end of said section the following sentence: Any commissioner of charities who has had twenty years of consecutive service in said office and who has become disabled from useful service may be granted a pension for a period not exceeding one year at a time at not more than half pay, by the board of mayor and aldermen, provided however, that the amount of such pension in any one calendar year shall not exceed an amount which, when added to all other earned income or compensation of the recipient exceeds the compensation fixed for the commissioner of charities at the time such recipient first received a pension on account of services as commissioner of charities, so that said section as amended shall read as follows: Sect. 3. The salary of the commissioner of charities shall be determined and fixed by the board of mayor and aldermen of said city; and in addition to said salary said commissioner shall be allowed for his actual traveling expenses in connection with his official duties a sum not to exceed one hundred and fifty dollars per year, and shall render monthly an itemized account of his said traveling expenses; there shall also be provided and furnished by the said city a suitable office for said commissioner of charities. Any commissioner of charities who has had twenty years of consecutive service in said office and who has become disabled from useful service may be granted a pension for a period not exceeding one year at a time at not more than half pay, by the board of mayor and aldermen, provided however, that the amount of such pension in any one calendar year shall not exceed an amount which, when added to all other earned income or compensation of the recipient exceeds the compensation fixed for the commissioner of charities at the time such recipient first received a pension on account of services as commissioner of charities.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 26, 1951.]

## CHAPTER 318.

AN ACT TO AMEND THE CHARTER OF THE MANCHESTER  
WOMEN'S AID AND RELIEF SOCIETY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Name Changed.** The name of the Manchester Women's Aid and Relief Society incorporated under the provisions of chapter 283 of the Laws of 1891 is hereby changed to Women's Aid Home.

**2. Property Authorized to Hold.** Amend section 2 of chapter 283 of the Laws of 1891 by striking out said section and inserting in place thereof the following: Sect. 2. Said corporation having for its object to care for aged women of Manchester and nearby communities who are physically or financially unable to maintain themselves outside an institution, is hereby authorized to maintain in the city of Manchester an institution for the aid, care, support and treatment of such persons, and for such purposes may acquire and hold, by purchase, gift, lease, deed, devise, bequest or otherwise, real and personal estate not exceeding in value one million dollars; and said corporation being in the nature of a public charity, its property shall be exempted from taxation.

**3. Takes Effect.** This act shall take effect upon its passage.  
[Approved April 26, 1951.]

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CHAPTER 319.AN ACT RELATIVE TO LEGALIZING THE ANNUAL MEETING OF 1951  
OF THE SCHOOL DISTRICT OF GORHAM.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings of the annual meeting of the Gorham School District held on March 13, 1951 are hereby legalized, ratified, and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved May 11, 1951.]

## CHAPTER 320.

AN ACT RELATIVE TO THE CHARTER OF THE CITY OF CLAREMONT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Ward Lines.** Amend section 4 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **4. Ward One.** Ward one shall contain all that part of said city included within a line starting at the center of Sugar river where it crosses the easterly city line, thence following the center of Sugar river northwesterly to the Main street bridge, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Main street and fronting on Main street, or standing on the corners of Main street on the easterly side thereof, to the intersection of Main and Union streets, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Union street and fronting on Union street, or standing on the corners of Union street on the easterly side thereof, to the intersection of Union and Mulberry street, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Mulberry street and fronting on Mulberry street, or standing on the corners of Mulberry street on the easterly side thereof, to the Boston & Maine railroad tracks, thence easterly along the tracks to the center of Broad street, thence following the center line of Broad street to its end, thence directly south to the city line, thence easterly to the southeasterly corner of the city line, thence northerly to the point of beginning.

Ward Two. Ward two shall contain all that part of said city included within a line commencing at a point in the center of Main street extended where it crosses the westerly city line at Ascutney bridge, thence southerly along the center of Main street extended and Main street to Sugar river, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Main street and fronting on Main street, or standing on the corners of Main street on the easterly side thereof, to the intersection of Main and Union streets, thence southerly following the easterly boundary lines of parcels connected with houses standing on the

easterly side of Union street and fronting on Union street, or standing on the corners of Union street on the easterly side thereof, to the intersection of Union and Mulberry streets, thence continuing southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Mulberry street and fronting on Mulberry street, or standing on the corners of Mulberry street on the easterly side thereof, to the Boston & Maine railroad tracks, thence easterly along the Boston & Maine railroad tracks to the center of Broad street, thence southerly along the center line of Broad street to the intersection of South street and Broad street, thence directly south to the city line, thence westerly along the city line to the southwesterly corner of the city line, thence northerly to the point of beginning.

Ward Three. Ward three shall contain all that part of said city included within a line commencing at a point in the center of Sugar river where it crosses the easterly city line, thence following the center of Sugar river northwesterly to the Main street bridge, thence northwesterly along the center of Main street and Main street extended to the westerly city line, thence northerly on the westerly city line to the northwesterly corner of the city line, thence easterly on the northerly city line to the northeasterly corner of the city line, thence southerly along the easterly city line to the point of beginning at Sugar river.

**2. Administration.** Amend section 16 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **16. The Council.** The entire administration of all fiscal, prudential and municipal affairs of the city of Claremont shall, except as otherwise provided, be vested in a city council of nine councilmen, three to be elected at-large and two to be elected from each ward. Each councilman shall hold office for a term of two years. Vacancies occurring in the office of councilman at any time after the election of a candidate or candidates thereto, and from a failure to elect thereto, shall be filled by the election of some qualified person who receives the votes of a majority of the remaining members of the council. The office of any ward council member shall be deemed vacant if he takes up residence in any ward other than the one from which he was elected. Such appointment shall be made at or before the second regular meeting after

which such vacancy occurs. The city clerk shall act as clerk of the council.

**3. Prohibition.** Amend section 29 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **29. Non-Interference by the Council.** Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers. However, members of the council may state objections to the appointment of any person proposed by the manager as provided in section 31 of this charter. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall constitute immediate forfeiture of his office.

**4. Powers.** Amend section 31 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **31. Power to Appoint and Remove.** The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. It shall be the duty of the manager to furnish the council in writing with the identity of any person whom he proposes to appoint as the head of any department or office at least ten days prior to the date on which the appointment is to be made. If the council has any objections to the person proposed by the manager for appointment, it shall certify its objections to the manager in writing within said ten-day period. All appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

**5. Budget Procedure.** Amend section 40 of said chapter 392 by striking out in the sixth and seventh lines the words "at least one month before the start of the fiscal year of the budget" and inserting in place thereof the words, not later than the last day of December annually, so that said section as amended shall read as follows: **40. Budget Procedure.**

At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the departments or activities under his control. The manager shall submit the proposed budget to the council not later than the last day of December annually.

**6. Budget.** Amend section 42 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **42. Date of Final Adoption.** The budget shall be finally adopted not later than the last day of the second month of the fiscal year. Should the council take no final action on or prior to such day, the budget as submitted shall be deemed to have been finally adopted by the council.

**7. Takes Effect.** This act shall take effect upon its passage. [Approved May 16, 1951.]

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## CHAPTER 321.

### AN ACT AUTHORIZING THE TOWN OF BELMONT TO ISSUE NOTES OR BONDS FOR THE TOWN WATER SYSTEM.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authority Granted.** The town of Belmont is hereby authorized to issue its serial notes or bonds to an amount not exceeding forty-five thousand dollars (\$45,000) for the purpose of renewing the town water system and of making additions and improvements thereto; such sum being in addition to amounts previously authorized for the same purposes.

**2. Form; Terms.** Said serial notes or bonds shall be signed by the selectmen and countersigned by the treasurer. Said issue shall be due and payable at such times, not more than thirty years from their date of issue, and in such amounts, and in such manner as the board of selectmen of said town may determine at a rate of interest to be fixed by said board.

**3. Debt Limit.** The debt authorized by this act shall be exempt from the limitation, if any, imposed upon the borrowing capacity of said town by section 7 of chapter 72 of the Revised Laws.

**4. Application of Laws.** Except as otherwise provided in this act the provisions of the municipal bonds statute shall apply to the notes or bonds herein authorized.

**5. Legalization.** The votes and proceedings at the meeting of the town of Belmont held March 13, 1951, in so far as the same relate to the issuance of bonds or notes for the water system authorized by section 1 of this act, are hereby legalized, ratified and confirmed and the notes or bonds may be issued accordingly.

**6. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 6, 1951.]

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## CHAPTER 322.

### AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF MARLBOROUGH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Validated.** The proceedings taken at the annual town meeting of 1951 in the town of Marlborough authorizing the selectmen of the town to issue serial bonds, note, or notes in the amount of one hundred and twenty thousand dollars for the purpose of enlarging, extending, and improving the present water system, and refunding an existing water system note, are hereby validated; and serial bonds, note, or notes may be dated June 15, 1951, issued and made payable according to said vote of the town, and proceeds derived from the issue and sale of said serial bonds, note, or notes may be used in accordance with said vote.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 7, 1951.]

**CHAPTER 323.****AN ACT RELATIVE TO THE SALARIES OF THE CITY COUNCILMEN OF  
LACONIA.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Councilmen.** Amend section 15 of chapter 241 of the Laws of 1893, as amended by section 3, chapter 200, Laws of 1901, chapter 192, Laws of 1903, section 3, chapter 213, Laws of 1903, section 2, chapter 291 of the Laws of 1911, and section 4, chapter 265 of the Laws of 1941, by adding at the end thereof the following: Each city councilman shall receive a salary of three hundred dollars per year payable in three equal instalments, so that said section as amended shall read as follows: Sect. 15. There shall be chosen biennially by and from the qualified voters of each of the several wards of said city one councilman to serve for the term of two years. Each city councilman shall receive a salary of three hundred dollars per year payable in three equal instalments.

**2. Takes Effect.** This act shall take effect as of March 27, 1951.

[Approved June 7, 1951.]

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**CHAPTER 324.****AN ACT RELATIVE TO THE SALARY OF THE MAYOR OF LACONIA.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Mayor.** Amend section 14 of chapter 241 of the Laws of 1893, as amended by section 3, chapter 265 of the Laws of 1941, by striking out said section and inserting in place thereof the following: Sect. 14. The mayor of said city shall be chosen biennially, and shall have the same negative upon all the actions of the council as by the public statutes the mayors of cities are given upon the action of aldermen. He shall preside in the meetings of the city council, but shall have no vote except in case of an equal division. In his absence the council may elect one of their number chairman, who shall have all



the powers and perform all the duties of mayor during his absence or disability, or during a vacancy in said office from any cause. The salary of the mayor shall be one hundred dollars a month, payable monthly, which shall be in full for his services and expenses. The mayor shall receive no other compensation from the city for, or in connection with, his official duties.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 7, 1951.]

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## CHAPTER 325.

### AN ACT LEGALIZING THE ANNUAL MEETING IN THE TOWN OF MASON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting in the town of Mason on the thirteenth day of March 1951, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 7, 1951.]

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## CHAPTER 326.

### AN ACT RELATIVE TO BORROWING BY BELKNAP COUNTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The Belknap county commissioners are hereby authorized and empowered, during the fiscal year for 1951, to borrow the sum of forty-five thousand dollars, and to issue the note of said county in said amount, payable within one year from the date of issuance, with interest, and to apply said sum to the payment, in part, of the note of said county, dated March 20, 1951, in the amount of ninety thousand dollars, to the order of the Laconia National Bank, and payable

December 20, 1951. Any note issued under or by virtue of this section shall be paid from taxes collected during the fiscal year 1952.

**2. Takes Effect.** This act shall take effect on its passage.  
[Approved June 7, 1951.]

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### CHAPTER 327.

AN ACT LEGALIZING THE 1951 SCHOOL DISTRICT MEETING IN THE  
TOWN OF JACKSON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings taken at the school district meeting held in the town of Jackson on March 13, 1951 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 21, 1951.]

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### CHAPTER 328.

AN ACT CREATING THE NEW HAMPSHIRE BUSINESS  
DEVELOPMENT CORPORATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Incorporators; Corporate Name; Powers and Privileges.** Wentworth Brown, Eugene B. Whittemore, Claude A. Putnam, Robert C. Erb, Avery R. Schiller, Richard C. Carrick, Laurence F. Whittemore, Huntley N. Spaulding, Sherman Adams, Arthur D. O'Shea, Arthur E. Moreau, Frank E. Kennett, Hervey Kent, Walter L. Barker, Howard Mitchell, James C. MacLeod, Harry J. Kelly, Harold I. Chandler, Harold A. Holbrook, George E. Harris, E. Ross Carver, Clinton W. Eastman, Edgar C. Hirst, Robert W. Upton, Donald F. D'Arcy, Merritt R. Langdell, Calvin Oakes, Joseph W. Epply, Lane Dwinell, Dudley M. Orr, Wilbur Schurman, Andrew Christie, Eliot A.

Carter, Marston Heard, William A. Kirn, George W. Swallow, Frank J. Sulloway, Ernest M. Hopkins and Charles F. Stafford, with their associates, successors and assigns, are hereby made a body corporate by the name of "New Hampshire Business Development Corporation," and as such corporation shall have the power to make suitable by-laws and rules, consistent with the general laws of the state, and elect such officers as it deems desirable to effect its corporate purposes, be possessed of all the powers, privileges and immunities conferred on business corporations by Chapter 274 of the Revised Laws as presently enacted or hereafter amended and shall be deemed to have been organized under the provisions of said chapter.

**2. Principal Office.** The principal office and place of business of this corporation shall be located in the city of Concord, county of Merrimack and state of New Hampshire, or such other place in the state of New Hampshire as may be fixed by the directors.

**3. Purposes and General Powers.** The purposes of this corporation shall be to promote, assist, encourage and through the cooperative efforts of the institutions and corporations which shall from time to time become members thereof, develop and advance the business prosperity and economy of the state of New Hampshire; to encourage new industries and to rehabilitate existing industries in the state of New Hampshire; to promote and stimulate the expansion of New Hampshire business ventures which tend to increase the growth and thrift of the state; to cooperate and act in conjunction with other organizations, the objects of which are the promotion of industrial, agricultural and recreational developments within the state; and to loan to approved and deserving applicants money for the carrying on and development of all kinds of business undertakings in the state of New Hampshire, thereby establishing a medium of credit not otherwise readily available therefor; and in furtherance of such purposes and in addition to the powers conferred by the general laws relating to business corporations, this corporation shall, subject to the restrictions and limitations herein contained, have the following powers:

I. To borrow money on secured or unsecured notes from any bank, banking institution, insurance or surety company, within the state which shall be a member of this corporation

and from other non-member persons, firms or corporations within the state; and to pledge bonds, notes and other securities as collateral therefor; provided, that in no case shall the amount so loaned by any member exceed the limit as hereinafter defined.

II. To lend money upon secured or unsecured applications; provided that it shall not be the intention hereof to take from the banking institutions within the state any such loans or commitments as may be desired by such institutions generally in the ordinary course of their business.

III. To establish and regulate the terms and conditions of any such loans and the charges for interest or service connected therewith.

IV. To purchase, hold, lease and otherwise acquire and to convey such real and personal estate as may from time to time be acquired by it in the satisfaction of debts, or pursuant to the terms and conditions of loans, or as may be acquired by it in the foreclosure of mortgages thereon, or upon judgments for debt or in settlements to secure debts.

V. To promote the establishment of local industrial foundations in the various communities of the state, to enter into agreements with them, and to cooperate with, assist and otherwise encourage such local foundations.

**4. Capital Stock.** The capital stock of this corporation shall be one thousand shares of no par value, which shall be issued for one hundred dollars per share in cash. At least twenty-five per cent of such capital stock shall be paid into the treasury of the corporation in cash before the corporation shall be authorized to transact any business other than such as relates to its organization. At least a majority of the capital stock shall at all times be held by residents of this state or by persons, firms or corporations engaged in doing business therein.

**5. Directors.** All the corporate powers of this corporation shall be exercised by a board of not less than nine directors who shall be residents of New Hampshire and representative of the various sections of the state as determined in the by-laws. The chairman of the state planning and development commission shall be, *ex officio*, a director with all the authority but without the liability as such, except for gross negligence or wilful misconduct. The number of directors and their term

of office shall be determined in the by-laws. In the first instance the directors shall be elected by the incorporators to serve until the first annual meeting. The first annual meeting shall occur at a date to be fixed by the board of directors as soon as reasonably possible after a minimum of twenty-five per cent of the capital stock of the corporation shall have been paid into its treasury and a minimum of ten members of the corporation shall have qualified as hereinafter provided; and such annual meeting shall be called in such manner as may be provided in the by-laws. At the first annual meeting and at each annual meeting thereafter a simple majority of the directors shall be elected by a vote of the members of the corporation hereinafter provided for, and the remainder of the directors shall be elected by vote of the stockholders. Each such member of the corporation shall have one vote and each member having a loan limit as herein defined of more than fifty thousand dollars shall have one additional vote in such election. The removal of any director from this state shall immediately vacate his office. If any vacancy occurs in the board of directors through death, resignation or otherwise, the remaining directors may elect a person to fill the vacancy until the next annual meeting of the corporation. The directors shall hold office until their successors are elected or appointed and qualified in their stead.

**6. Members; Limitation and Apportionment of Loans by Members; Withdrawal.** The members of the corporation shall consist of such banks, banking institutions, loaning, insurance and surety companies within the state as may make application to this corporation to loan funds to it upon call and up to the limit herein provided; and membership shall become effective upon the acceptance of such applications by the board of directors.

Each member shall lend funds to this corporation as and when called upon by it to do so, but the total amount on loan by any member at any one time shall not exceed the following limit to be determined as of the time it became a member and thereafter annually readjusted in the event of any change in the base of the loan limit of such member:

National banks, state-chartered commercial banks and trust companies, two and one-half per cent of capital and surplus;

Savings banks, two and one-half per cent of guaranty funds;

Guaranty savings banks, two and one-half per cent of guaranty funds and guaranty fund surpluses;

Building and loan associations and cooperative banks, two and one-half per cent of guaranty funds;

Stock insurance companies, two and one-half per cent of capital and surplus;

Surety and casualty companies, two and one-half per cent of capital and surplus;

Mutual insurance companies, two and one-half per cent of guaranty fund or of surplus, whichever is applicable; and comparable limits for other banking, loaning and insurance institutions, as established by the board of directors.

All loan limits shall be established at the thousand dollar amount nearest to the amount computed on an actual basis. Notwithstanding the provisions of chapters 310 and 314 of the Revised Laws and notwithstanding any other statute, the notes or other interest-bearing obligations of the corporation issued in accordance with and by virtue of the charter and by-laws of said corporation, up to, but in no case exceeding the loan limits herein established, shall be legal investments for the banking, loaning, insurance and surety institutions and companies who become members of the corporation. All calls of funds which members are committed to lend to this corporation shall be prorated by this corporation among the members in the same proportion that the maximum loan limit of each bears to the aggregate maximum loan limits of all members. Upon written notice given five years in advance, a member of the corporation may withdraw from membership in the corporation at the expiration date of such notice, and after said expiration date shall be free of obligations hereunder except those accrued prior to said expiration date.

**7. Surplus.** This corporation shall set apart as a surplus not less than ten per cent of its net earnings in each and every year until such surplus, together with any unimpaired surplus paid in, shall equal one-half of the paid in value of the capital stock then outstanding. The said surplus may be invested as provided in the by-laws and shall be kept and used to meet losses and contingencies of the corporation, and whenever the amount of surplus fixed herein shall become impaired, it shall

be built up again to the required amount in the manner provided for its original accumulation.

**8. Restrictions; Forfeiture of Charter.** This corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors, exclusive of any director who is an officer or director of the depository so designated. This corporation shall not receive money on deposit. No loans shall be made directly or indirectly to any officer of the corporation or to any firm of which such officer is a member. If this corporation shall fail to commence business within three years from the effective date hereof, then this act shall become null and void.

**9. Supervision and Control.** This corporation shall be subject to the supervision, examination and control of the bank commissioner in the same manner as provided in chapter 307, Revised Laws, and shall make such annual report of its condition to the bank commissioner as he shall prescribe, but shall not be deemed a banking institution nor required to pay a fee for such examination. This corporation shall be exempt from the requirements of reporting to the secretary of state as provided in section 104, chapter 274, Revised Laws as amended. This corporation shall be exempt from all the requirements of chapter 336, Revised Laws, with respect to the sale of its stock, notes and other securities in this state.

**10. Fees.** This corporation shall pay no organization fee to the secretary of state but shall pay annually to the secretary of state commencing on April 1, 1953, the annual franchise fee assessed against all business corporations computed as provided by said chapter 274. The provisions of sections 5 to 10, inclusive, of chapter 20, Revised Laws, shall not apply to this corporation.

**11. Further Powers.** I. The holders of capital stock as such shall have no preemptive or preferential right to purchase or subscribe for any part of the unissued capital stock of the corporation of any class or for any new issue of stock of any class, whether now or hereafter authorized or issued, or to purchase or subscribe for any bonds or other obligations, whether or not convertible into stock of any class of the corporation, now or hereafter authorized or issued.

II. Whenever a compromise or arrangement or any plan of reorganization of this corporation is proposed between this corporation and its creditors, members or shareholders, the superior court by virtue of its general equity powers may, on application of this corporation or of any creditor, member or shareholder thereof, or on the application of any receiver or receivers appointed for this corporation, order a meeting of such creditors, members or shareholders, as the case may be, as may be affected by the proposed compromise or arrangement or plan of reorganization, which shall be called in such manner as said court directs. If, at said meeting, such compromise or arrangement or plan of reorganization is agreed to by or on behalf of the creditors, if affected thereby, holding two-thirds in amount of the claims against the corporation, and by or on behalf of the shareholders, if affected thereby, holding the majority of each class of capital stock, and by or on behalf of the members, if affected thereby, holding two-thirds in amount of the outstanding notes or other interest-bearing obligations of the corporation provided for in section 6 hereof, and if such agreement shall be further evidenced by the written acceptance of said creditors, shareholders and members duly filed in the superior court, said compromise or arrangement or plan of reorganization shall, if approved by said court as just and equitable, be binding on all the creditors, shareholders or members, as the case may be, who are affected thereby, and also on this corporation. All persons who become creditors, shareholders or members of the corporation shall be deemed to have become creditors, shareholders or members subject in all respects to this section, and the same shall be absolutely binding upon them. For the purposes of this paragraph only, members shall not be deemed creditors and shall act under this paragraph as a separate class.

**12. First Meeting.** Any three of the incorporators named in this act may call the first meeting of the corporation by mailing a written notice signed by them, postage prepaid, to each of the other incorporators five days at least before the day of the meeting, naming the time, place and purpose of such meeting; and at such meeting the corporation may be organized, the necessary officers elected, by-laws adopted and other business of organization transacted; provided that without such call all such incorporators may meet voluntarily at



any time and effect their organization by electing officers, adopting by-laws and transacting other lawful business.

**13. Takes Effect.** This act shall take effect upon its passage, and for the purposes of chapter 274, Revised Laws, shall be deemed the articles of agreement and charter of this corporation.

[Approved July 10, 1951.]

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## CHAPTER 329.

### AN ACT TO REPEAL CHARTERS OF CERTAIN CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Charters Repealed.** The charter or certificate of incorporation of each of the following named corporations is hereby repealed, revoked and annulled except as otherwise here specified:

- Advance Auto Sales, Inc. (Claremont, 1948)
- Advance Sales Co., Inc. (Manchester, 1947)
- Advertising Consultants, Inc. (Manchester, 1948)
- Alme Shoe Co. Inc. (formerly Acme Shoe Company Inc., Keene, 1944)
- Ames Manufacturing Company, Inc. (Ossipee, 1942)
- Amherst Realty Corporation (Amherst, 1946)
- Amoskeag Hamper Co. Inc. (Manchester, 1946)
- Amoskeag Paper Corporation (Manchester, 1946)
- Amoskeag Steel Corporation (Manchester, 1947)
- Andorra Forest Products Company (formerly Andorra Lumber Company, Marlow, 1940)
- Apartments, Inc. (Manchester, 1947)
- Arrow Cabs Inc. (Concord, 1949)
- Ashuelot Forest Owners, Inc. (Marlow, 1941)
- Auto Building Corporation (Lebanon, 1947)
- B & I Real Estate Company, Inc. (Laconia, 1947)
- B-K Hosiery Mill, Inc. (Franklin, 1940)
- Bailey & Son, Inc., W. T. (formerly Ruiter & Bailey, Inc., Concord, 1947)
- Baker and Sons, Inc., E. E. (Bartlett, 1946)
- Ballou Specialty Company, Inc. (Laconia, 1948)

- Bardian Renting Corporation (Twin Mountain, 1948)  
Baroody Company, Inc., The C. H. (Manchester, 1946)  
Bartonlou Stable, Inc. (Concord, 1948)  
Beaupre Appliance Co., Inc. (Rochester, 1948)  
Beauregard Auto Service, Inc. (Keene, 1947)  
Bell Motor Sales, Inc. (formerly Swanzey Wood Products, Inc., Swanzey, 1948)  
Berlin Auto. Sales, Inc. (formerly Roberts Motors, Inc., also Roberts Realty Company, Berlin, 1940)  
Betty's Sweets Shop, Inc. (Manchester, 1941)  
Blackmount Transportation Service Company Inc. (North Haverhill, 1947)  
Bond's City Hardware, Inc. (Berlin, 1948)  
Bradford Shoe Company, Inc. (Hampton, 1946)  
Bretton Company, Inc., The (Berlin, 1947)  
Brown Enterprises, Inc. (formerly Towne & Robie, Inc., Franklin, 1948)  
Brown, Inc., Joseph W. (Nashua, 1945)  
Bryant Company, Inc., H. L. (Manchester, 1940)  
Builders Service & Supply Co., Inc. (Rochester, 1948)  
Buranco, Inc. (Concord, 1948)  
Burke Textile Corp. (Northfield--P. O. Tilton, 1948)  
Busheys, Inc. (Keene, 1949)  
Canada Dry Bottling Company of Somersworth, New Hampshire, Inc. (Somersworth, 1948)  
Canterbury Industries, Inc. (Tilton, 1948)  
Capitol Beverage, Inc. (Concord, 1945)  
Capitol Diner of Concord, Inc. (Manchester, 1928)  
Carey Manufacturing Co., Inc. (Keene, 1945)  
Carlyle Hosiery Mills, Inc. (formerly Nashua Hosiery Mills, Inc., Nashua; Laconia, 1948)  
Cherry Valley, Inc. (Laconia, 1948)  
Cheshire Gardens, Inc. (Keene, 1948)  
Chichester Building Association (Chichester, 1888)  
City Garage Company, The (Berlin, 1913)  
Clark Construction Corporation, A. L. (Littleton, 1948)  
Clarke & Burns, Inc. (Dover, 1947)  
Clover Catering and Baking Co., Inc. (Portsmouth, 1948)  
Club Transportation, Inc. (Piermont, 1948)  
Coastline Canning Corporation (Portsmouth, 1948)  
Cochecho Building Company, Inc. (Dover, 1949)

- Cocheco Beef Company (Dover, 1907)  
College Pharmacy, Inc. (Durham, 1946)  
Concord Credit Reporting Bureau, The (Concord, 1928)  
Concord Fashions, Inc. (Manchester, 1949)  
Concord Wholesale Confectionery Corporation (Concord, 1939)  
Congress Jewelry Co., Inc. (formerly Bond Jewelry Co., Portsmouth, 1938)  
Consolidated Wholesale Grocers, Inc. (Manchester, 1949)  
Copadis Bakery (Manchester, 1931)  
Cottage Pine Furniture Company, Inc., The (Meredith, 1949)  
Crafts Company, G. P. (Manchester, 1906)  
Crawford Industries, Inc. (Tilton, 1947)  
Cummings Corporation (Hudson, 1946)  
Davis Transformer Company (Concord, 1926)  
DeLuca Brothers, Inc. (Manchester, 1948)  
Douglas, Inc., Stewart N. and Naomi P. (Holderness, 1948)  
Dover Hotel Co., Inc. (Dover, 1937)  
Dowd Co., Inc., John H. (formerly The John H. Dowd Marble and Granite Works, Inc., Portsmouth, 1924)  
Duane Shoe Company, Inc. (formerly Duane Street Shoe Company, Inc., also Duane Street Work Shoe Company, Inc., Keene, 1942)  
Ducky's Diner Inc. (Nashua, 1949)  
Dunbar Incorporated (Amherst, 1947)  
Eagle Iron Foundry, Inc. (Hinsdale, 1933)  
Eastland Motor Sales, Inc. (Rochester, 1946)  
Eastman Bros. Garage, Inc. (Canaan, 1948)  
Eldridge Refrigeration Company, Inc. (Dover, 1949)  
Electric Construction Corporation (Charlestown, 1948)  
Elkins Electric, Inc. (Elkins, New London, 1950)  
Elm Lumber Mill, Inc. (Newton Junction, 1948)  
Engstrom, Inc. (Peterborough, 1948)  
Essex Yarn Corporation (Marlboro, 1942)  
Fabyan Bretton Corporation (Twin Mountain, 1948)  
Fairbrut Realty Corporation (Twin Mountain, 1947)  
Fairman Players, Inc. (Manchester, 1949)  
Filion Bus Lines, Inc. (Newmarket, 1944)  
Fiske Lumber Co., Inc. (Haverhill, Massachusetts, 1946)  
Floor-Craft Inc. (Nashua, 1948)

Floor-Shine Wax, Inc. (Nashua, 1946)  
Floyd's Restaurant and Grill, Incorporated (Bethlehem, 1946)  
Foxstand Foods Incorporated (West Springfield, 1938)  
G & M Motor Sales, Inc. (Laconia, 1948)  
Gaudreau Furniture, Inc. (Claremont, 1932)  
Gelpey Co., Inc., Kenneth (Lancaster, 1948)  
General Sales Corporation (Plymouth, 1949)  
Gilford Bowl Inc. (Gilford, 1950)  
Granite Post Inc., The (Portsmouth, 1946)  
Granite State Supply, Inc. (Portsmouth, 1948)  
Grant Distributing Corporation (Amherst, 1949)  
Greeley Insurance Agency, Inc., The Cecile B. (Concord, 1947)  
Grover Co., Inc., Chas. R. (Nashua, 1925)  
Guertin & Forbush, Inc. (Nashua, 1946)  
Guild-Pinecrest Mills, Inc. (formerly Guild-Northland Mills, Inc., Laconia, 1943)  
H & B Corporation, The (Manchester, 1947)  
H & I Corporation, The (Manchester, 1947)  
Hall-Weller Foundries, Inc. (Salmon Falls, 1949)  
Hampshire Foods Company, Inc. (Portsmouth, 1947)  
Hampshire Wood Heel Corporation, Inc. (Nashua, 1948)  
Hanover Street Market, Inc. (Manchester, 1946)  
Harry & Bobs Indian Motorcycle Sales & Service, Inc. (Hudson, 1947)  
Haskell-Juwel, Inc. (Manchester, 1948)  
Haven Hotel, Incorporated (Portsmouth, 1946)  
Haverhill Aero Associates Inc. (North Haverhill, 1948)  
Hayes Hennery Inc., The (Dover, 1932)  
Heather Shop, Inc., The (Lebanon, 1949)  
Herman Textile Corp., The (Tilton, 1945)  
Hill Industries, Inc. (Hill, 1946)  
Hiltz-Perkins Co. Inc. (Woodstock, 1949)  
Hollis Heel Co., Inc. (Hollis, 1948)  
Home Service Acceptance Corporation (Claremont, 1946)  
Hooksett Aqueduct Co., Inc. (Hooksett, 1945)  
Hotel Angle, Inc. (Sandown, 1948)  
Hotel Lookoff Company, The (Sugar Hill, Lisbon, 1920)  
Hotel Roosevelt, Inc. (Bethlehem, 1949)  
House of Putnam, Inc., The (Sanbornton, 1949)

Ice Cream Sales, Inc. (Manchester, 1947)  
Interior Decorating Shop, Inc., The (Portsmouth, 1946)  
Isadore and Milton, Inc. (Keene, 1947)  
Jack & Jill Shop, Inc. (Dover, 1947)  
Jamey Shoe Company, Inc. (formerly James Shoe Company, Inc., Nashua, 1949)  
Jefferson Grain Co., Inc. (Farmington, 1941)  
Kaulback-Prentice Foundry, Inc. (Laconia, 1949)  
Kearsarge Reservoir Company (Warner, 1932)  
Keene Plastics, Inc. (Keene, 1944)  
Keene Plumbing and Heating Company, Inc. (Keene, 1948)  
Keewaydin-Copplecrown, Inc. (Wolfeboro, 1946)  
Kendall, Hadley Company (Goffstown, 1922)  
Kenlaw, Inc. (Goffstown, 1947)  
Kidder Adhesives, Inc. (Manchester, 1947)  
Kiddie Play Yard, Inc. (Keene, 1949)  
Kwik-Kafe Automatic Personnel Service of New Hampshire, Inc. (Manchester, 1948)  
L. E. M. Corporation (Nashua, 1947)  
Laconia Airways, Incorporated (Laconia, 1946)  
Laconia Construction Company, Inc. (Laconia, 1946)  
Laconia Sand and Gravel Company, Inc. (Gilford, 1949)  
Laconia Worsted Company, Inc. (Laconia, 1948)  
Laffin Supply Corporation (formerly Laffin Supply Corp., Charlestown, 1947)  
Lake Sunapee Yacht Club, Inc. (New London, 1921)  
Lakes Region Development Corporation (Meredith, 1946)  
Lakes Region Sports Promotions, Inc. (Laconia, 1948)  
Lamprey River Salvage Corporation (Newmarket, 1948)  
Langdell Lumber Co. (Manchester, 1918)  
L'Avenir National Publishing Company (Manchester, 1913)  
Lebanon Frozen Food Lockers Inc. (Lebanon, 1946)  
LeGrill Corporation (Manchester, 1947)  
Lewis and Martin, Inc. (Concord, 1947)  
Lincoln Construction, Inc. (Nashua, 1946)  
Lincoln Home Equipment, Inc. (Manchester, 1946)  
Louise Shops, Inc. (Manchester, 1949)  
M-G-W Inc. (Hinsdale, 1947)  
Machinery Design Corporation, The (Manchester, 1947)  
Main Street Motors, Inc. (Newport, 1948)

Management Incorporated (Laconia, 1949)  
Manchester Baseball Associates, Inc. (Manchester, 1942)  
Manchester Eureka Corporation (Manchester, 1948)  
Manchester Hardware Supply Corporation (Manchester, 1949)  
Manchester Rubber Company (Manchester, 1932)  
Manchester Supermarket, Inc. (Manchester, 1949)  
Mansfield, Inc., W. F. (Newport, 1940)  
Mark Island Development Corporation (Laconia, 1940)  
Marquis Motor Sales, Inc. (Rochester, 1946)  
Mathes, Inc., John M. (Littleton, 1947)  
McIntire Enterprises, Incorporated (Portsmouth, 1946)  
McKee Fashions, Inc., Susan (Manchester, 1947)  
Medford-Marlboro Knit Gaiter Inc. (Marlboro, 1942)  
Memorial Funeral Home, Inc. (Groveton, Northumberland, 1948)  
Meredith News Press, Inc. (Meredith, 1947)  
Meredith Textiles, Inc. (formerly Textile Sales Company, Inc., Concord, 1944)  
Merrimack Builders Supply Corporation (Nashua, 1946)  
Merrimack Lumber Corporation, The (Nashua, 1949)  
Milds Corporation, The (Manchester, 1943)  
Milford Improvement Society, The (Milford, 1892)  
Milford Paint Manufacturing Company, Inc. (Milford, 1947)  
Milford Poultry and Protective Association, Inc. (Milford, 1913)  
Mooney Corporation, F. J. (Farmington, 1949)  
Moose Mt. Lodge Inc. (Hanover, 1938)  
Morgan Radio, Inc. (Concord, 1950)  
Morrison Apartments, Inc. (Dover, 1946)  
Morse Co., Inc., A. W. (Manchester, 1933)  
Mt. Agassiz Aerial Tramway, Inc. (Bethlehem, 1946)  
Mt. Livermore Hotel Company (Holderness, 1929)  
Music Box, Inc. (Berlin, 1948)  
Nashua Bowlaway Inc. (Nashua, 1942)  
Nashua Landlords' Association, Inc. (Nashua, 1950)  
Nashua Milling Corporation (Nashua, 1940)  
Nashua Rubber Mat Co., Inc. (Nashua, 1948)  
Nashua Wood Heel Co., Inc. (Nashua, 1947)  
National Furniture Manufacturing Co., Inc. (Merrimack, 1945)

- New England Bat Co., Inc. (Manchester, 1946)  
New England Fixture Mfg. Co., Inc. (Manchester, 1948)  
New Hampshire Building & Construction Co., Inc. (Manchester, 1946)  
New Hampshire Paint and Wallpaper Company, Inc. (Portsmouth, 1949)  
New Hampshire Philatelic Association, Incorporated, The (Deerfield, 1947)  
New Hampshire Sports, Inc. (Manchester, 1947)  
New London Locker Plant, Inc., The (New London, 1946)  
Newmarket Floor Covering, Inc. (Newmarket, 1948)  
Newmarket Publishing Company, Inc. (Newmarket, 1946)  
News & Critic Publishing Company, Inc. (Laconia, 1946)  
1949 State Convention of the Veterans of Foreign Wars, The (Concord, 1949)  
Northeastern Playboy, Inc. (Manchester, 1948)  
Northern New England Strike, Incorporated (Nashua, 1947)  
Northwoods Chemicals, Inc. (Laconia, 1947)  
Norwood and Davis, Inc. (Chocorua, Tamworth, 1947)  
Old Dutch Cleaners, Inc. (Nashua, 1947)  
Ossipee Lumber & Millwork Co., Inc. (Center Ossipee, 1947)  
Park View Management Corporation (Bethlehem, 1947)  
Parkers Pines, Inc. (Keene, 1946)  
Personnel Research Foundation, Inc. (Wolfeboro, 1946)  
Peterborough Laundry, Inc. (Peterborough, 1947)  
Phinney Corporation (Amherst, 1946)  
Photocenter, Inc. (Nashua, 1948)  
Pilgrim Pine Furniture Company, Inc. (Meredith, 1947)  
Pine Island Park Co., Inc. (Manchester, 1946)  
Pines, Inc., The (Redstone, Conway, 1947)  
Plymouth Locker Service Inc. (Plymouth, 1944)  
Ply-Wood Sales, Inc. (Nashua, 1947)  
Portsmouth Ice & Coal Co. (formerly Portsmouth Ice Company, Inc., Portsmouth, 1923)  
Princess Dine and Dance, Inc. (Concord, 1949)  
Prout's Inc. (Gilford, 1935)  
Queen City Community Baseball Club, Inc. (Manchester, 1948)  
Red Wing Burner Sales Corporation of Manchester (Manchester, 1947)

- Regal Fur Manufacturers, Inc. (Manchester, 1946)  
Reinhard Fruit Co., Inc. (Bethlehem, 1948)  
Ricard's Jewelers, Inc. (Nashua, 1948)  
Ritz Amusements, Inc. (Gorham, 1945)  
Riverside Flying Service, Inc. (Ashland, 1946)  
Robertson-Langley, Inc. (Keene, 1946)  
Rockingham Ballroom, Inc. (Newmarket, 1946)  
Royal Shoe Co. Inc. (Keene, 1943)  
Russell, Inc., John P. (Manchester, 1933)  
S. & C. Mfg. Corporation (Keene, 1946)  
S. & O. Appliance Company, Inc. (Claremont, 1948)  
S. & O. Plumbing & Heating Company, Inc. (Claremont, 1948)  
St. Germain Motors, Inc. (Nashua, 1946)  
Sanders Dry Cleaning Shop, Inc. (Franklin, 1946)  
Scott Jewelry Company (Nashua, 1937)  
Seacoast Industries, Inc. (Hampton, 1946)  
Seames & Bunton, Inc. (Manchester, 1948)  
Shoemaker Co., Inc. (Alstead, 1948)  
Simmons Realty Company, Inc. (Tilton, 1948)  
Simon Incorporated of New Hampshire. S. B. (formerly New Hampshire Caterers, Inc., also S. B. Simon Company, Inc., Salem, 1933)  
Ski Boot Lodge, Inc. (North Conway, 1949)  
Small Contractor, Inc., Francis E. (Nashua, 1947)  
Soucy's Hardware, Inc. (Nashua, 1946)  
Springfield Minerals Corporation (New London, 1946)  
Spur Bottling Co. of Somersworth, Inc. (Somersworth, 1947)  
Standard Construction Co., Inc. (Manchester, 1946)  
Standard Mica Corporation (Canaan, 1947)  
Stinson Lake Camps, Inc. (Rumney, 1937)  
Stone, Inc., John J. (Somersworth, 1949)  
Stop-Draft Co., Inc. (Chesham, 1947)  
Sugar River Fly Company, Inc. (Claremont, 1949)  
Sunapee Mills, Inc. (Sunapee, 1945)  
Sunny Side Service Station, Inc. (Manchester, 1946)  
Super Grill, Inc. (Concord, 1941)  
Suzanne's Restaurant Inc. (Concord, 1946)  
Swanzy Realty Co., Inc. (Swanzy, 1948)  
T & E Cleaners, Inc. (Laconia, 1947)



Tamworth Wood Products, Inc. (Tamworth, 1947)  
Tarleton Smoked Turkey Ranch, Inc. (Piermont, 1946)  
Tebo & Cole, Inc. (Laconia, 1947)  
Tenney Service Vacation Home (Canaan, 1923)  
Thomas, Inc., R. J. (Manchester, 1946)  
Thor Electric Company, Inc. (Manchester, 1947)  
Three Lakes Lumber Company, Inc. (Bradford, 1946)  
Trading Post, Inc., The (Claremont, 1948)  
Twigg's, Inc. (North Conway, 1947)  
Twin State Motors Incorporated (Lebanon, 1947)  
Union Street Garage, Inc. (Peterborough, 1949)  
United Food Stores, Incorporated (Manchester, 1936)  
Vagge Inc., M. J. (Nashua, 1947)  
Valley Fruit & Produce, Inc. (Berlin, 1949)  
Valley Mills Co. (Marlboro, 1942)  
Vanpine, Inc. (Newport, 1949)  
Veep Company, Incorporated, The (Hanover, 1942)  
Vulcan Fire Protection Corporation (Manchester, 1947)  
W L O B, Inc. (Claremont, 1947)  
Wallace Lodge Corporation (Littleton, 1939)  
Warren Pulley Cover Company (Pascoag, R. I., 1935)  
Weirs Real Estate Corporation (Weirs, Laconia, 1947)  
West Manchester Motor Sales, Incorporated (Manchester, 1948)  
West Side Company, The (Manchester, 1890)  
White Mt. Baking Co., Inc. (Littleton, 1948)  
White Mountain Poultry Co., Inc. (formerly Lawrence Live Poultry, Inc., Derry, 1947)  
White Mountains Air Terminal, Inc. (Littleton, 1948)  
Whitney Street Market, Inc. (Nashua, 1944)  
Willys-Manchester, Inc. (Manchester, 1946)  
Wilson-Lowe Inc. (Greenville, 1950)  
Windham Builders Inc. (Windham, 1948)  
Windswept Acres, Inc. (Bethlehem, 1948)  
Wood and Metal Furniture Company, Inc. (Derry, 1934)  
Young Equipment Co. Inc., Kenneth T. (Harrisville, 1949)  
Young Co. Inc., M. D. (Manchester, 1947)  
Zulli Company, Inc., Alphonse (Meredith, 1946)

The principal place of business and date and year of incorporation, when given in the above list, are included for the

purpose of distinguishing corporations of the same or similar names.

**2. Remedies Preserved.** No remedy against any such corporation, its stockholders or officers, for any liability previously incurred, shall be impaired hereby.

**3. Reinstatement.** Any such corporation may, within ninety days after the date that this act takes effect, reinstate itself as a corporation by the payment of any fees in arrears and the filing with the secretary of state of any annual returns required by law and a statement under oath, signed by the clerk or secretary of such corporation, that it desires that its charter or certificate of incorporation shall remain in full force and effect.

**4. Disposition of Property.** Any corporation whose charter is hereby repealed, revoked and annulled, shall, nevertheless, continue as a body corporate for the term of three years from the date that this act takes effect, for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of its property and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action; and provided further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of any such corporation, to order the doing of such acts or things, and for this purpose may appoint and authorize an agent to act for and in the name of such corporation and any action so ordered and done shall be effective corporate action.

**5. Takes Effect.** This act shall take effect upon its passage.  
[Approved July 16, 1951.]

**CHAPTER 330.**

AN ACT RELATIVE TO WARD LINES OF THE CITY OF BERLIN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Berlin.** Amend the last two paragraphs of section 2 of chapter 121 of the Laws of 1897, as amended by section 1, chapter 300, Laws of 1913, by striking out said paragraphs and inserting in place thereof the following: Ward three shall include all that part of said Berlin lying on the northwesterly side of the Androscoggin river not embraced in wards one and two as herein constituted and shall also include all that part of said Berlin which lies southeasterly of the Androscoggin river and northerly of the boundary line running from said river between range 7 and range 6 of Lot 3 and between range 8 and range 7 of Lot 2 of the original lots. Ward four shall include all that part of said Berlin lying on the southeasterly side of the Androscoggin river and southerly of the boundary line running from said river between range 7 and range 6 of Lot 3 and between range 8 and range 7 of Lot 2 of the original lots.

**2. Takes Effect.** This act shall take effect upon its passage. [Approved August 2, 1951.]

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**CHAPTER 331.**

AN ACT RELATIVE TO THE CITY CLERK OF THE CITY OF LACONIA.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City Clerk.** Amend section 17 of chapter 241 of the Laws of 1893 as amended by chapter 316, Laws of 1917, chapter 271, Laws of 1921, chapter 281, Laws of 1931, section 5, chapter 265 of the Laws of 1941, and chapter 440 of the Laws of 1949, by striking out the words "and have a salary of three thousand dollars per annum" in the fifth and sixth lines and inserting in place thereof the words, and whose salary shall be determined by the city council, so that said section as amended shall read as follows: Sect. 17. The mayor and council shall,

at their meeting on March 25, 1941, and thereafter biennially, on the fourth Tuesday of March, meet for the purpose of taking their respective oaths, and shall elect a city clerk, who shall be clerk of the city council and whose salary shall be determined by the city council. All fees received by the city clerk shall be turned over by said clerk to the city treasurer for the use of the city of Laconia.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 7, 1951.]

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## CHAPTER 332.

### AN ACT RELATING TO THE CITY CHARTER OF THE CITY OF LACONIA.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Laconia.** Amend section 8 of chapter 241 of the Laws of 1893 as amended by section 2, chapter 200, Laws of 1901, as amended by chapter 213, Laws of 1903, by striking out said section and inserting in place thereof the following: Sect. 8. Wards 1 and 3, as hereby constituted, at every state biennial election commencing with the biennial election in 1952 shall choose by ballot and plurality vote one supervisor of check-lists and wards 2, 4, 5 and 6 two such supervisors, and the city council shall also on the Wednesday next following the state biennial election in 1952, and on the Wednesday next following the state biennial election thereafter by ballot and major vote choose one supervisor of check-lists who shall hold office for the term of two years. The persons thus chosen shall constitute the board of supervisors of check-lists of all the wards of the city, and the member chosen by the city council shall be chairman of the board. All vacancies occurring in the board shall be filled by the city council.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 7, 1951.]

## CHAPTER 333.

## AN ACT RELATIVE TO TRUSTEES OF BREWSTER FREE ACADEMY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Brewster Free Academy.** Amend section 3 of chapter 167 of the Laws of 1887 by striking out said section and inserting in place thereof the following: Sect. 3. The board of trustees shall hereafter be composed of twelve members, four of whom shall be members *ex officio* and eight of whom shall be selected as hereinafter provided. The four *ex-officio* members shall be the three trustees under the seventh or residuary clause in the will of John Brewster and a member of the school board of Wolfeboro to be selected from said school board in June of each year by the board of trustees by majority of ballots cast by said board of trustees. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The member of said school board of Wolfeboro so selected shall be a trustee for one year from the date of his selection. He may be eligible for selection for a further like term or terms providing he remains a member of said school board of Wolfeboro but shall have no vote in said selection. The remaining eight trustees shall be those seven elected trustees now serving except for the present trustee who is also principal of the academy and one additional trustee to be elected by the remaining trustees on or before September 1, 1951. Said seven trustees shall complete the terms for which they have been elected heretofore. Thereafter, as the term of one of the said eight elected trustees shall expire each year, at the annual meeting of each year a trustee shall be elected by the board to take the place of the retiring member. Provided however, that there shall be at all times three members of the board of trustees who are residents of the town of Wolfeboro. The retiring member shall be eligible for re-election but shall have no vote in such election. If a vacancy shall occur among the aforesaid eight trustees or their successors or the selected trustee from the school board of said Wolfeboro, the board shall elect or select a trustee to serve for the unexpired balance of the affected term. The principal of the academy shall be elected by the board of trustees and shall

attend meetings of the board of trustees but shall not have a vote therein.

**2. Application, Present Trustees.** On or before September 1, 1951 the trustees of said academy shall meet to select in the manner hereinbefore provided from the present school board of Wolfeboro a new trustee in lieu of the principal-trustee heretofore elected. Said trustee from said school board of Wolfeboro shall serve until the annual meeting of the board of trustees in June of 1952 and thereafter his successor shall be selected as provided in section 1 above. The provisions as to the residence of said trustees shall be in effect on or before June 30, 1952.

**3. Takes Effect.** This act shall take effect upon its passage. [Approved August 10, 1951.]

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## CHAPTER 334.

AN ACT RELATIVE TO FIRST BAPTIST SOCIETY IN HAMPTON, NEW  
HAMPTON LITERARY AND BIBLICAL INSTITUTION, NASHUA  
BUILDING AND LOAN OR COOPERATIVE BANK, RYE  
WATER DISTRICT, AMHERST WATER WORKS, WEST  
LEBANON VILLAGE FIRE DISTRICT, AND  
LEGALIZING CERTAIN MEETINGS OF THE  
TOWNS OF ANTRIM, LYMAN, NEW  
DURHAM, NEWPORT, WAKEFIELD  
AND WILMOT, AND SCHOOL  
DISTRICT MEETINGS IN DUB-  
LIN, HARRISVILLE, HILLS-  
BOROUGH, AND LEBANON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. First Baptist Society in Hampton.** Amend the fifth paragraph of chapter 53 of the Laws of New Hampshire, volume 8, approved June 27, 1817 by striking out said paragraph and inserting in place thereof the following: And be it further enacted—that said society may hold real estate and receive subscriptions, grants, and donations of personal estate—.

**2. Change of Name.** The name of the corporation New Hampton Literary and Biblical Institution, whose charter was

approved January 5, 1853, is hereby changed and the corporation shall hereafter be known as The New Hampton School.

**3. Name Changed.** The name of Nashua Building and Loan or Cooperative Bank, as provided by chapter 433, Laws of 1949, is hereby changed and the corporation shall hereafter be known as Nashua Co-operative Bank.

**4. Rye Water District.** Amend sections 1 and 2 of chapter 394 of the Laws of 1947, as amended by section 2 of chapter 364 of the Laws of 1949, by striking out said sections and inserting in place thereof the following: **1. Authorization.** Rye Water District in the town of Rye is hereby authorized to incur indebtedness in an amount not exceeding two hundred twenty-five thousand dollars (\$225,000), including the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining, extending and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. Said district shall have all necessary power to take any property, including any existing utilities, it may need in connection with the establishment of such water system, by condemnation proceedings. **2. Issuance of Bonds or Notes.** For the purpose and to the extent set forth in section 1 of this act, Rye Water District in the town of Rye is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended, except as hereinafter provided.

**5. Amherst Fire Alarm System.** Amend section 2 of chapter 16 of Laws of 1950 by striking out the words "such water works system" in the sixth line and inserting in place thereof the words, a water works system and an improved fire alarm system, so that said section as amended shall read as follows: **2. Amherst Village District; Authorization.** The Amherst Village District is hereby authorized to incur an indebtedness in an amount not exceeding one hundred fifty-five thousand dollars, including the amount authorized by chapter 72 of the Revised Laws as amended, for the purpose of constructing a water works system and an improved fire alarm system, as it may deem necessary for the use of its inhabitants and others.

**6. Amherst; Proceedings Legalized.** Amend section 6 of chapter 16 of Laws of 1950 by inserting after the figure "1950" in the third line the words and figures, and March 30,

1951, so that said section as amended shall read as follows:

**6. Amherst Village District.** The proceedings and votes of the meetings of the Amherst Village District held March 24, 1950 and March 30, 1951 are hereby legalized, ratified and confirmed, so far as they relate to the appropriation and issuance of serial notes and bonds for the purposes set forth in section 2 of this act.

**7. Antrim Meeting; Proceedings Legalized.** The election of town officers at the annual meeting of the town of Antrim, held on March 13, 1951, is hereby legalized, ratified and confirmed.

**8. Lyman Meeting; Proceedings Legalized.** The votes and proceedings at the biennial election held November 7, 1950 in the town of Lyman are hereby legalized, ratified and confirmed.

**9. New Durham Meeting; Proceeding Legalized.** The votes and proceedings at the annual election in the town of New Durham on the thirteenth day of March, 1951, are hereby legalized, ratified and confirmed.

**10. Wakefield Meeting; Proceedings Legalized.** The votes and proceedings at the annual election in the town of Wakefield on the thirteenth day of March, 1951, are hereby legalized, ratified and confirmed.

**11. Wilmot Meeting; Proceedings Legalized.** The votes and proceedings at the annual election in the town of Wilmot on the thirteenth day of March, 1951, are hereby legalized, ratified and confirmed.

**12. Harrisville School District; Proceedings Legalized.** The votes and proceedings taken at the school district meeting held in the town of Harrisville on March 13, 1951 are hereby legalized, ratified and confirmed.

**13. Legalization.** The votes and proceedings of the meeting of the Hillsborough school district held March 1, 1951, in so far as they relate to the issuance of notes or bonds for construction and equipment of the elementary school, as authorized by section 2 of an act relative to Hillsborough school district, approved March 7, 1951, are hereby legalized, ratified and confirmed.

**14. Lebanon School District; Proceedings Legalized.** The votes and proceedings at the annual school meeting for the



Lebanon School District held in the town of Lebanon, on the thirtieth day of March, 1951, and on the eleventh day of May, 1951, are hereby legalized, ratified and confirmed.

**15. West Lebanon Village Fire District; Proceedings Legalized.** The votes and proceedings of the West Lebanon Village Fire District held on the tenth day of July, 1951, as a recessed meeting from the annual meeting on the twentieth day of March, 1951, are hereby legalized, ratified and confirmed.

**16. Proceedings Legalized.** The votes and proceedings at the annual school district meeting of the school district of Dublin, held March 13, 1951 are hereby legalized, ratified and confirmed.

**17. Newport Bond Issue.** The votes and proceedings at the annual meeting in the town of Newport held in March 1949 authorizing the issuance of municipal bonds in the sum of \$18,700 for the purpose of extending the town sewer system to Newport Heights are hereby legalized, ratified and confirmed.

**18. Takes Effect.** This act shall take effect upon its passage.

[Approved August 14, 1951.]

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## CHAPTER 335.

### AN ACT AUTHORIZING THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER TO DELEGATE ITS AUTHORITY PERTAINING TO REGULATION OF HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Manchester.** The board of mayor and aldermen of the city of Manchester may by ordinance delegate to the traffic committee of said board of mayor and aldermen the authority vested in it by Revised Laws, chapter 59, section 15, and Revised Laws, chapter 66, section 13, VII and VIII, in so far as the provisions of said laws pertain to the regulation and control of traffic upon the highways of said city.

**2. Traffic Committee.** Said traffic committee shall have authority to make all needful rules and regulations for the regulation and control of traffic in said city, not inconsistent with the laws of the state; provided, however, that the board of mayor and aldermen may by ordinance provide that all said rules and regulations shall be first submitted to the board of mayor and aldermen for approval.

**3. Rules and Regulations.** Said traffic committee shall have such authority as the board of mayor and aldermen by ordinance may vest in said traffic committee to perform and carry out the following duties: (a) establish rules and regulations governing the use of public highways within the limits established by state law and sections 1 and 2 of this act, including, but not to the exclusion of other regulatory powers conferred, the installation of traffic control devices; designation of throughways and stop streets; of curb parking zones and the manner of their use, including areas for the installation of parking meters, designation of public carrier stands and stops; curb loading zones; crosswalks, safety zones; and streets at which drivers shall not make right or left turns.

**4. Publication of Rules.** Notice of rules and regulations enacted by the traffic committee shall be published by causing the same to be inserted two weeks in two or more newspapers printed and published in the city of Manchester, before they are permitted to take effect.

**5. Takes Effect.** This act shall take effect upon its passage and upon the enactment of an ordinance by the board of mayor and aldermen of the city of Manchester as provided in section 1 hereof, and all acts or parts of acts inconsistent therewith are hereby repealed.

[Approved August 29, 1951.]

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## CHAPTER 336.

AN ACT PROVIDING FOR NON-PARTISAN MUNICIPAL ELECTIONS IN  
THE CITY OF MANCHESTER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Manchester.** At the biennial municipal election in the city of Manchester in November, 1951, and biennially

thereafter the ballot system hereinafter provided shall govern the election of city and ward officers.

**2. Ballots.** The city clerk shall prepare the ballots for said elections and all candidates for office shall file their declarations of candidacy or petitions of nomination with the said city clerk not more than forty-two days nor less than twenty-eight days prior to the election. A plurality vote shall elect.

**3. Officers to be Elected.** The officers to be elected at said biennial municipal election shall be mayor, commissioner of charities, ward aldermen, members of the school committee and selectmen of wards.

**4. Declaration of Candidacy.** Any candidate for any elective office as defined in the preceding section may file with the city clerk a declaration of candidacy in substantially the following form, which shall be prepared and furnished by the city clerk: I, ..... declare that I reside in the city of Manchester, that I am a qualified voter therein; that I am a candidate for the office of ..... and I hereby request that my name be printed on the official non-partisan ballot of the city of Manchester. At the time of filing said declaration the candidate shall pay to the city clerk the required filing fee, as hereinafter provided, for the use of the city.

**5. Filing Fees.** The following fees shall be paid for filing declarations of candidacy: For mayor, fifty dollars, for commissioner of charities, twenty-five dollars, for ward alderman, ten dollars, for member of the school committee, three dollars, for ward selectmen, two dollars.

**6. Nominating Petitions.** On or before the closing date for filing a candidate for any of said offices may file, in lieu of a declaration of candidacy, nominating petitions and in such case the name of said candidate shall be printed upon the ballot without payment of the fee. The form of petition shall be as follows:

#### State of New Hampshire

I ..... of ..... do hereby request the printing of my name on the non-partisan ballot as candidate for the office of ..... at the biennial meeting in the city of Manchester on November 19 . In support of said candidacy I submit the following affidavits

signed by legal voters of the city /ward/: State of New Hampshire  
County of Hillsborough

The above named ..... personally known to me, appeared and made oath that the above statement by him subscribed is true.

Justice of the Peace or Notary Public

#### Supporting Affidavit

State of New Hampshire County of Hillsborough

I ..... of ..... hereby join in the petition for the printing of the name of ..... on the non-partisan ballot as candidate for the office of ..... at the biennial meeting in the city of Manchester on November , 19 I certify that I am qualified to vote for a candidate for said office and am not, at this time a signer of any other similar petition for any other candidate for said office.

State of New Hampshire County of Hillsborough

The above named ..... personally known to me, appeared and made oath that the above statement by him subscribed is true.

Justice of the Peace or Notary Public

**7. Number of Petitions Required.** The number of separate petitions which must be filed by a candidate, under the provisions of the preceding section, in order to have his name printed on the non-partisan ballot shall be as follows: For mayor, two hundred and fifty; for commissioner of charities, one hundred; for ward alderman, fifty; for member of the school committee, fifteen, and for ward selectman, ten.

**8. Form of Ballots.** The city clerk shall prepare the official ballots and shall arrange the names of candidates upon said ballots in perpendicular columns. Immediately above the names of each block of candidates shall be printed the title of the office for which they are candidates as "For Mayor" and the like. Below the title of each office shall be printed in small but easily legible type the words "Vote for not more than " followed by a spelled number designating the number of persons to be elected for such office. At the right of the name of each candidate and on the same line, there shall be a square. Following the names printed on the ballot below the title of

each office to be filled, there shall be as many blank lines as there are persons to be elected to each office. Whenever there are two or more candidates for the same office in any ward the names shall be printed upon the ballot in the alphabetical order of their surnames. In the case of candidates to be elected from all the wards of the city where there are two or more candidates for any such office the names of such candidates shall be so alternated on the ballots used in each ward that each shall appear thereon as nearly as may be an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which it belongs. Where a name has been printed on the ballot supported by petition, the words 'Nom. Papers' shall be inserted after the name of the candidate.

**9. Paper, Uniformity, Endorsement.** The ballots shall be printed on plain white paper, in weight not less than that of ordinary printing paper. There shall be no impression or mark to distinguish one ballot from another. The names of all candidates shall be printed in uniform type and the ballots shall be folded so that their width and length when folded shall be uniform. On the back, or at the top of the face, of each ballot shall be printed the words "Official Ballot for the City of Manchester" the date of the election and a facsimile of the signature of the city clerk.

**10. Application of Laws.** The provisions of chapter 34 of the Revised Laws, relative to the manner of voting, counting of ballots, penalties for violating election laws, in so far as consistent herewith, shall apply to the elections held under the provisions of this act.

**11. Recounts.** If any person who was voted for at said election is not according to the count declared by the moderator elected to said office he may apply to the city clerk for a recount of votes cast, if application is made within three days after said election and a fee of twenty-five dollars is paid in case of an officer elected in all wards, or five dollars in case of a ward officer.

**12. Board of Recount.** There shall be a board of recount of three members consisting of one member of the board of aldermen, designated by the mayor and two other members, not members of the board of aldermen, elected by the board of mayor and aldermen. The term of office of said members of the board of recount shall be two years.

**13. Notice.** The board of recount shall fix a time for such recount not earlier than three days after the receipt of the application and shall notify the opposing candidates thereof, and as soon after the expiration of said three days as circumstances will permit, such recount shall be held and conducted as recounts of votes cast at elections are.

**14. Counting.** Upon the date set for the recount the ballots shall be counted by the board of recount. The various candidates, and their counsel, shall have the right to inspect the ballots and participate in such recount under such suitable rules as the board may adopt. The board of recount shall not be entitled to compensation for their duties as such board.

**15. Declaration.** If a recount shall show that some other person than the one declared elected has the greatest number of votes cast at the election, such person shall be declared elected by the board of recount, instead of the person so first declared. If the recount shall show that the person who applied for the recount was elected the city clerk shall, within ten days after such recount, return to him the fee paid at the time of filing the application for a recount. Nothing herein shall be construed as affecting the right of any person to appeal to the court in any matter relative to said election.

**16. Charter Provisions.** Such provisions of the charter of the city of Manchester as may be inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

**17. Repeal.** Chapter 284 of the Laws of 1943, as amended by chapter 251 of the Laws of 1945, relative to primary elections, is hereby repealed.

**18. Takes Effect.** This act shall take effect upon the majority vote at the election to be held on November 6, 1951. The city clerk then in office shall cause to be printed on the ballots then used the following question: "Shall the municipal election in the city of Manchester be upon a non-partisan basis?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. If a majority of those voting on this question vote in the affirmative on this question, this act shall be declared to have been adopted.

[Approved August 31, 1951.]

## CHAPTER 337.

AN ACT VALIDATING ACTION OF THE CITY COUNCIL OF THE  
CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Portsmouth.** The action of the city council of the city of Portsmouth on August 8, 1951, whereby said city council authorized the unexpended balance of \$57,862.22 from the bond issue of 1946 to be used for the purposes of permanent improvements for sewer facility construction, is hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved August 31, 1951.]





THE STATE OF NEW HAMPSHIRE

---

Office of Secretary of State.

Concord, October 1, 1951

I hereby certify that the acts and resolutions contained in this volume have been compared with the originals in this office and found to be correctly printed.

ENOCH D. FULLER,  
*Secretary of State.*



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